



# House of Representatives

**File No. 796**

General Assembly

January Session, 2017

**(Reprint of File No. 653)**

Substitute House Bill No. 7198  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
May 25, 2017

**AN ACT CONCERNING COURT OPERATIONS, VICTIM SERVICES,  
FRAUDULENT FILINGS AND TRANSFERS OF AN INTEREST IN REAL  
PROPERTY TO A TRUST.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Subsections (a) and (b) of section 46b-16a of the general  
2 statutes are repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2017*):

4 (a) Any person who has been the victim of sexual abuse, sexual  
5 assault or stalking [, as described in sections 53a-181c, 53a-181d and  
6 53a-181e,] may make an application to the Superior Court for relief  
7 under this section, provided such person has not obtained any other  
8 court order of protection arising out of such abuse, assault or stalking  
9 and does not qualify to seek relief under section 46b-15. As used in this  
10 section, "stalking" means two or more wilful acts, performed in a  
11 threatening, predatory or disturbing manner of: Harassing, following,  
12 lying in wait for, surveilling, monitoring or sending unwanted gifts or  
13 messages to another person directly, indirectly or through a third  
14 person, by any method, device or other means, that causes such person

15    to reasonably fear for his or her physical safety.

16        (b) The application shall be accompanied by an affidavit made by  
17    the applicant under oath that includes a statement of the specific facts  
18    that form the basis for relief. If the applicant attests that disclosure of  
19    the applicant's location information would jeopardize the health, safety  
20    or liberty of the applicant or the applicant's children, the applicant may  
21    request, on a form prescribed by the Chief Court Administrator, that  
22    his or her location information not be disclosed. Upon receipt of the  
23    application, if the allegations set forth in the affidavit meet the  
24    requirements of subsection (a) of this section, the court shall schedule a  
25    hearing not later than fourteen days from the date of the application. If  
26    a postponement of a hearing on the application is requested by either  
27    party, no ex parte order shall be continued except upon agreement of  
28    the parties or by order of the court for good cause shown. If the court is  
29    closed on the scheduled hearing date, the hearing shall be held on the  
30    next day the court is open and any ex parte order that was issued shall  
31    remain in effect until the date of such hearing. If the applicant is under  
32    eighteen years of age, a parent, guardian or responsible adult who  
33    brings the application as next friend of the applicant may not speak on  
34    the applicant's behalf at such hearing unless there is good cause shown  
35    as to why the applicant is unable to speak on his or her own behalf,  
36    except that nothing in this subsection shall preclude such parent,  
37    guardian or responsible adult from testifying as a witness at such  
38    hearing. If the court finds that there are reasonable grounds to believe  
39    that the respondent has committed acts constituting grounds for  
40    issuance of an order under this section and will continue to commit  
41    such acts or acts designed to intimidate or retaliate against the  
42    applicant, the court, in its discretion, may make such orders as it  
43    deems appropriate for the protection of the applicant. If the court finds  
44    that there are reasonable grounds to believe that an imminent danger  
45    exists to the applicant, the court may issue an ex parte order granting  
46    such relief as it deems appropriate. In making such orders, the court, in  
47    its discretion, may consider relevant court records if the records are  
48    available to the public from a clerk of the Superior Court or on the

49 Judicial Branch's Internet web site. Such orders may include, but are  
50 not limited to, an order enjoining the respondent from: (1) Imposing  
51 any restraint upon the person or liberty of the applicant; (2)  
52 threatening, harassing, assaulting, molesting, sexually assaulting or  
53 attacking the applicant; and (3) entering the dwelling of the applicant.

54 Sec. 2. Section 46b-124 of the general statutes is repealed and the  
55 following is substituted in lieu thereof (*Effective October 1, 2017*):

56 (a) For the purposes of this section, "records of cases of juvenile  
57 matters" includes, but is not limited to, court records, records  
58 regarding juveniles maintained by the Court Support Services  
59 Division, records regarding juveniles maintained by an organization or  
60 agency that has contracted with the Judicial Branch to provide services  
61 to juveniles, records of law enforcement agencies including  
62 fingerprints, photographs and physical descriptions, and medical,  
63 psychological, psychiatric and social welfare studies and reports by  
64 juvenile probation officers, public or private institutions, social  
65 agencies and clinics.

66 (b) All records of cases of juvenile matters, as provided in section  
67 46b-121, except delinquency proceedings, or any part thereof, and all  
68 records of appeals from probate brought to the superior court for  
69 juvenile matters pursuant to section 45a-186, shall be confidential and  
70 for the use of the court in juvenile matters, and open to inspection or  
71 disclosure to any third party, including bona fide researchers  
72 commissioned by a state agency, only upon order of the Superior  
73 Court, except that: (1) Such records shall be available to (A) the  
74 attorney representing the child or youth, including the Division of  
75 Public Defender Services, in any proceeding in which such records are  
76 relevant, (B) the parents or guardian of the child or youth until such  
77 time as the child or youth reaches the age of majority or becomes  
78 emancipated, (C) an adult adopted person in accordance with the  
79 provisions of sections 45a-736, 45a-737 and 45a-743 to 45a-757,  
80 inclusive, (D) employees of the Division of Criminal Justice who, in the  
81 performance of their duties, require access to such records, (E)

82 employees of the Judicial Branch who, in the performance of their  
83 duties, require access to such records, (F) another court under the  
84 provisions of subsection (d) of section 46b-115j, (G) the subject of the  
85 record, upon submission of satisfactory proof of the subject's identity,  
86 pursuant to guidelines prescribed by the Office of the Chief Court  
87 Administrator, provided the subject has reached the age of majority or  
88 has been emancipated, (H) the Department of Children and Families,  
89 (I) the employees of the Division of Public Defender Services who, in  
90 the performance of their duties related to Division of Public Defender  
91 Services assigned counsel, require access to such records, and (J)  
92 judges and employees of the Probate Court who, in the performance of  
93 their duties, require access to such records; and (2) all or part of the  
94 records concerning a youth in crisis with respect to whom a court  
95 order was issued prior to January 1, 2010, may be made available to  
96 the Department of Motor Vehicles, provided such records are relevant  
97 to such order. Any records of cases of juvenile matters, or any part  
98 thereof, provided to any persons, governmental or private agencies, or  
99 institutions pursuant to this section shall not be disclosed, directly or  
100 indirectly, to any third party not specified in subsection (d) of this  
101 section, except as provided by court order, in the report required  
102 under section 54-76d or 54-91a or as otherwise provided by law.

103 (c) All records of cases of juvenile matters involving delinquency  
104 proceedings, or any part thereof, shall be confidential and for the use  
105 of the court in juvenile matters and shall not be disclosed except as  
106 provided in this section and section 3 of this act.

107 (d) Records of cases of juvenile matters involving delinquency  
108 proceedings shall be available to (1) Judicial Branch employees who, in  
109 the performance of their duties, require access to such records, (2)  
110 judges and employees of the Probate Court who, in the performance of  
111 their duties, require access to such records, and (3) employees and  
112 authorized agents of state or federal agencies involved in (A) the  
113 delinquency proceedings, (B) the provision of services directly to the  
114 child, (C) the design and delivery of treatment programs pursuant to  
115 section 46b-121j, or (D) the delivery of court diversionary programs.

116 Such employees and authorized agents include, but are not limited to,  
117 law enforcement officials, community-based youth service bureau  
118 officials, state and federal prosecutorial officials, school officials in  
119 accordance with section 10-233h, court officials including officials of  
120 both the regular criminal docket and the docket for juvenile matters  
121 and officials of the Division of Criminal Justice, the Division of Public  
122 Defender Services, the Department of Children and Families, the Court  
123 Support Services Division and agencies under contract with the  
124 Judicial Branch. Such records shall also be available to (i) the attorney  
125 representing the child, including the Division of Public Defender  
126 Services, in any proceeding in which such records are relevant, (ii) the  
127 parents or guardian of the child, until such time as the subject of the  
128 record reaches the age of majority, (iii) the subject of the record, upon  
129 submission of satisfactory proof of the subject's identity, pursuant to  
130 guidelines prescribed by the Office of the Chief Court Administrator,  
131 provided the subject has reached the age of majority, (iv) law  
132 enforcement officials and prosecutorial officials conducting legitimate  
133 criminal investigations, (v) a state or federal agency providing services  
134 related to the collection of moneys due or funding to support the  
135 service needs of eligible juveniles, provided such disclosure shall be  
136 limited to that information necessary for the collection of and  
137 application for such moneys, and (vi) members and employees of the  
138 Board of Pardons and Paroles and employees of the Department of  
139 Correction who, in the performance of their duties, require access to  
140 such records, provided the subject of the record has been convicted of  
141 a crime in the regular criminal docket of the Superior Court and such  
142 records are relevant to the performance of a risk and needs assessment  
143 of such person while such person is incarcerated, the determination of  
144 such person's suitability for release from incarceration or for a pardon,  
145 or the determination of the supervision and treatment needs of such  
146 person while on parole or other supervised release. Records disclosed  
147 pursuant to this subsection shall not be further disclosed, except that  
148 information contained in such records may be disclosed in connection  
149 with bail or sentencing reports in open court during criminal  
150 proceedings involving the subject of such information, or as otherwise

151 provided by law.

152 (e) Records of cases of juvenile matters involving delinquency  
153 proceedings, or any part thereof, may be disclosed upon order of the  
154 court to any person who has a legitimate interest in the information  
155 and is identified in such order. Records disclosed pursuant to this  
156 subsection shall not be further disclosed, except as specifically  
157 authorized by a subsequent order of the court.

158 [(f) Records of cases of juvenile matters involving delinquency  
159 proceedings, or any part thereof, shall be available to the victim of the  
160 crime committed by such child to the same extent as the record of the  
161 case of a defendant in a criminal proceeding in the regular criminal  
162 docket of the Superior Court is available to a victim of the crime  
163 committed by such defendant. The court shall designate an official  
164 from whom such victim may request such information. Records  
165 disclosed pursuant to this subsection shall not be further disclosed,  
166 except as specifically authorized by a subsequent order of the court.]

167 [(g)] (f) Information concerning a child who is the subject of an  
168 order to take such child into custody or other process that has been  
169 entered into a central computer system pursuant to subsection (i) of  
170 section 46b-133 may be disclosed to employees and authorized agents  
171 of the Judicial Branch, law enforcement agencies and the Department  
172 of Children and Families in accordance with policies and procedures  
173 established by the Chief Court Administrator.

174 [(h)] (g) Information concerning a child who has escaped from a  
175 detention center or from a facility to which the child has been  
176 committed by the court or for whom an arrest warrant has been issued  
177 with respect to the commission of a felony may be disclosed by law  
178 enforcement officials.

179 [(i)] (h) Nothing in this section shall be construed to prohibit any  
180 person employed by the Judicial Branch from disclosing any records,  
181 information or files in such employee's possession to any person  
182 employed by the Division of Criminal Justice as a prosecutorial official,

183 inspector or investigator who, in the performance of his or her duties,  
184 requests such records, information or files, or to prohibit any such  
185 employee of said division from disclosing any records, information or  
186 files in such employee's possession to any such employee of the  
187 Judicial Branch who, in the performance of his or her duties, requests  
188 such records, information or files.

189 [(j)] (i) Nothing in this section shall be construed to prohibit a party  
190 from making a timely objection to the admissibility of evidence  
191 consisting of records of cases of juvenile matters, or any part thereof, in  
192 any Superior Court or Probate Court proceeding, or from making a  
193 timely motion to seal any such record pursuant to the rules of the  
194 Superior Court or the rules of procedure adopted under section 45a-78.

195 [(k)] (j) A state's attorney shall disclose to the defendant or such  
196 defendant's counsel in a criminal prosecution, without the necessity of  
197 a court order, exculpatory information and material contained in any  
198 record disclosed to such state's attorney pursuant to this section and  
199 may disclose, without a court order, information and material  
200 contained in any such record which could be the subject of a disclosure  
201 order.

202 [(l)] (k) Notwithstanding the provisions of subsection (d) of this  
203 section, any information concerning a child that is obtained during any  
204 detention screening or mental health screening or assessment of such  
205 child, during the provision of services pursuant to subsection (b) of  
206 section 46b-149, or during the performance of an educational  
207 evaluation pursuant to subsection (e) of section 46b-149, shall be used  
208 solely for planning and treatment purposes and shall otherwise be  
209 confidential and retained in the files of the entity providing such  
210 services or performing such screening, assessment or evaluation. Such  
211 information may be further disclosed only for the purposes of any  
212 court-ordered evaluation or treatment of the child or provision of  
213 services to the child, or pursuant to sections 17a-101 to 17a-101e,  
214 inclusive, 17b-450, 17b-451 or 51-36a. Any information concerning a  
215 child that is obtained during the administration of the detention

216 screening instrument in accordance with section 46b-133 shall be used  
217 solely for the purpose of making a recommendation to the court  
218 regarding the detention of the child. Such information shall not be  
219 subject to subpoena or other court process for use in any other  
220 proceeding or for any other purpose.

221 [(m)] (l) Records of cases of juvenile matters involving delinquency  
222 proceedings, or any part thereof, containing information that a child  
223 has been convicted as delinquent for a violation of subdivision (e) of  
224 section 1-1h, subsection (c) of section 14-147, subsection (a) of section  
225 14-215, section 14-222, subsection (b) of section 14-223, subsection (a),  
226 (b) or (c) of section 14-224, section 30-88a or subsection (b) of section  
227 30-89, shall be disclosed to the Department of Motor Vehicles for  
228 administrative use in determining whether administrative sanctions  
229 regarding such child's motor vehicle operator's license are warranted.  
230 Records disclosed pursuant to this subsection shall not be further  
231 disclosed.

232 [(n)] (m) Records of cases of juvenile matters involving adoption  
233 proceedings, or any part thereof, shall be confidential and may only be  
234 disclosed pursuant to sections 45a-743 to 45a-757, inclusive.

235 (n) Records of cases of juvenile matters involving delinquency  
236 proceedings shall be available to a victim of the delinquent act in  
237 accordance with the provisions of section 3 of this act.

238 Sec. 3. (NEW) (*Effective October 1, 2017*) (a) Notwithstanding any  
239 provision of the general statutes concerning the confidentiality of  
240 records of cases of juvenile matters, as defined in section 46b-124 of the  
241 general statutes, as amended by this act, whether in a matter  
242 designated by the court for a nonjudicial disposition pursuant to  
243 section 46b-128 of the general statutes or otherwise, any victim of a  
244 delinquent act committed by a child shall, without a court order, have  
245 access to: (1) The name and address of the child; (2) the name and  
246 address of the child's parents or guardian; (3) any charges pending  
247 against the child at the time that the victim requests such information



248 that relate to such delinquent act; (4) information pertaining to the  
249 disposition of the matter that relates to such delinquent act; and (5) any  
250 order entered by the court pertaining to the victim, including, but not  
251 limited to, any order of no contact between the child and the victim.  
252 Any information received by a victim of a delinquent act pursuant to  
253 this subsection may be utilized by the victim in a subsequent civil  
254 action for damages related to an act of delinquency committed by the  
255 child, but such information shall not be further disclosed except as  
256 specifically authorized by an order of the court. For the purposes of  
257 this section "victim" means a person who is the victim of a delinquent  
258 act, the legal representative of such person, a parent or guardian of  
259 such person, if such person is a minor, or a victim advocate for such  
260 person under section 54-220 of the general statutes, as amended by this  
261 act.

262 (b) Records of cases of juvenile matters, as defined in subsection (a)  
263 of section 46b-124 of the general statutes, as amended by this act, other  
264 than those enumerated in subsection (a) of this section, including, but  
265 not limited to, police reports, arrest warrants, search warrants and any  
266 affidavits associated with such warrants that involve the victim may be  
267 disclosed to the victim upon order of the court for good cause shown.  
268 Information disclosed to the victim pursuant to this subsection shall  
269 not be further disclosed, except as specifically authorized by an order  
270 of the court.

271 (c) In determining whether good cause exists for the granting or  
272 denial of access to records pursuant to subsection (b) of this section,  
273 the court shall consider: (1) The age of the child; (2) the degree of  
274 injury to the victim or damage to property caused by the child's  
275 delinquent act; (3) whether a compelling reason exists for disclosure or  
276 nondisclosure of the information contained in such records; and (4)  
277 whether the release of such information would jeopardize an ongoing  
278 criminal investigation. When making a good cause determination, the  
279 court may not consider as a factor whether the victim has an alternate  
280 means of ascertaining the information delineated in subsection (b) of  
281 this section.

282 (d) If the release of information available to a victim pursuant to  
283 subsection (a) of this section may result in jeopardizing (1) the safety of  
284 the child, a witness or another person; or (2) an ongoing criminal  
285 investigation, the prosecutorial official or an attorney representing the  
286 child, including an attorney from the Division of Public Defender  
287 Services, may file an objection with the court requesting that such  
288 information not be disclosed. The court shall articulate on the record  
289 the specific reason for sustaining any objection made pursuant to this  
290 subsection.

291 Sec. 4. Subsection (b) of section 46b-133e of the general statutes is  
292 repealed and the following is substituted in lieu thereof (*Effective*  
293 *October 1, 2017*):

294 (b) As a condition of eligibility for suspension of prosecution and  
295 placement in a school violence prevention program pursuant to this  
296 section, (1) the child shall agree to participate in a program of anger  
297 management and nonviolent conflict resolution consisting of [at least  
298 eight] group counseling sessions, and to satisfactorily complete such  
299 program, (2) the child shall agree to comply with any orders of the  
300 court, and (3) the parents or guardian of such child shall certify under  
301 penalty of false statement that, to the best of such parents' or  
302 guardian's knowledge and belief, neither such parent or guardian nor  
303 such child possesses any firearms, dangerous weapons, controlled  
304 substances or other property or materials the possession of which is  
305 prohibited by law or in violation of the law.

306 Sec. 5. Subdivision (1) of subsection (f) of section 46b-231 of the  
307 general statutes is repealed and the following is substituted in lieu  
308 thereof (*Effective from passage*):

309 (f) (1) (A) The Family Support Magistrate Division shall include nine  
310 family support magistrates who shall, (i) prior to January 1, 2017, be  
311 appointed by the Governor to serve in that capacity for a term of three  
312 years, and (ii) on and after January 1, 2017, be nominated by the  
313 Governor and appointed by the General Assembly to serve in that

314 capacity for a term of five years, except that each family support  
315 magistrate serving on December 31, 2016, shall continue to serve in  
316 that capacity on and after January 1, 2017, until the expiration of such  
317 magistrate's three-year term, unless removed from office pursuant to  
318 this subsection, and shall continue to serve after the expiration of such  
319 three-year term until a successor is appointed or the family support  
320 magistrate's nomination has failed to be approved in accordance with  
321 this subsection. A family support magistrate may be nominated by the  
322 Governor for reappointment. If a family support magistrate continues  
323 to serve after the expiration of such three-year term and such family  
324 support magistrate is nominated by the Governor for reappointment,  
325 the family support magistrate's five-year term shall begin on the date  
326 that the General Assembly approves the nomination for reappointment  
327 pursuant to subdivision (3) of this subsection.

328 (B) To be eligible for nomination as a family support magistrate, a  
329 person shall have engaged in the practice of law for five years prior to  
330 appointment and be experienced in the field of family law. The family  
331 support magistrate shall devote full time to the duties of a family  
332 support magistrate and shall not engage in the private practice of law.  
333 A family support magistrate may be removed from office by the  
334 Governor for cause and is subject to admonishment, censure,  
335 suspension and removal from office as provided in chapter 872a.

336 Sec. 6. Subsection (a) of section 47a-70 of the general statutes is  
337 repealed and the following is substituted in lieu thereof (*Effective*  
338 *October 1, 2017*):

339 (a) All proceedings involving a housing matter in the judicial  
340 district of Hartford, New Britain, New Haven, Fairfield, Waterbury or  
341 Stamford-Norwalk shall first be placed on the housing docket for that  
342 district, provided that the judge before whom such proceeding is  
343 brought may transfer such matter to the regular docket for a  
344 [geographical area or] judicial district if he determines that such matter  
345 is not a housing matter or that such docket is more suitable for the  
346 disposition of the case. Any case so entered or transferred to either

347 docket shall be proceeded upon as are other cases of like nature  
348 standing on such docket.

349 Sec. 7. Subsection (a) of section 51-181 of the general statutes is  
350 repealed and the following is substituted in lieu thereof (*Effective from*  
351 *passage*):

352 (a) The Superior Court shall sit continuously throughout the year, at  
353 such times and places and for such periods as are set by the Chief  
354 Court Administrator or, with the approval of the Chief Court  
355 Administrator, his designee, in the following cities or towns, except as  
356 otherwise provided by law: (1) In the judicial district of Ansonia-  
357 Milford, at Ansonia or Derby and at Milford; (2) in the judicial district  
358 of Danbury, at Danbury; (3) in the judicial district of Fairfield, at  
359 Bridgeport; (4) in the judicial district of Hartford, at Hartford and,  
360 whenever suitable accommodations are provided without expense to  
361 the state, at Manchester; (5) in the judicial district of Litchfield, at  
362 Litchfield, New Milford, Winchester and Torrington; (6) in the judicial  
363 district of Middlesex, at Middletown; (7) in the judicial district of New  
364 Britain, at New Britain and Bristol; (8) in the judicial district of New  
365 Haven, at New Haven and Meriden; (9) in the judicial district of New  
366 London, at Norwich and New London; (10) in the judicial district of  
367 Stamford-Norwalk, at Stamford; (11) in the judicial district of Tolland,  
368 at Rockville; (12) in the judicial district of Waterbury, at Waterbury;  
369 and (13) in the judicial district of Windham, at Putnam, [and  
370 Willimantic.]

371 Sec. 8. Subsection (e) of section 51-196 of the general statutes is  
372 repealed and the following is substituted in lieu thereof (*Effective from*  
373 *passage*):

374 (e) The secretary of the review division shall act as its clerk or, if  
375 there is no such secretary, the clerk of the superior court for the judicial  
376 district in which the review division is meeting shall act as the clerk of  
377 the division. The acting clerk of the review division shall send the  
378 original of each decision to the clerk of the court where the judgment

379 was rendered and a copy thereof to the Chief Justice, the judge who  
380 imposed the sentence or commitment reviewed, the person sentenced  
381 or committed, the principal officer of the correctional institution in  
382 which such person is confined and the Reporter of Judicial Decisions. [,  
383 who shall select therefrom for publication such decisions as the  
384 reporter deems will be useful as precedents or will serve the public  
385 interest and shall prepare them for publication in the manner in which  
386 decisions of the Supreme Court are prepared. Decisions thus prepared  
387 for publication shall be published in the Connecticut Law Journal and,  
388 if the Reporter of Judicial Decisions so directs, in the Connecticut  
389 Supplement.]

390 Sec. 9. Section 51-215 of the general statutes is repealed and the  
391 following is substituted in lieu thereof (*Effective October 1, 2017*):

392 [The Reporter of Judicial Decisions shall obtain a sufficient number  
393 of records and briefs of all cases determined in the Supreme Court and  
394 cause them to be bound in convenient size, with an index. The  
395 Reporter of Judicial Decisions shall send a copy of the records and  
396 briefs to the State Library and each law library under the supervision  
397 of the Office of the Chief Court Administrator. The expense of binding  
398 and transportation shall be paid by the state.] The chief clerk of the  
399 Supreme Court shall electronically provide to the State Library  
400 publicly available briefs of all cases determined in the Supreme Court  
401 and the Appellate Court, in a format and on a schedule that is  
402 mutually agreed to by the chief clerk of the Supreme Court and the  
403 State Librarian.

404 Sec. 10. Subsection (a) of section 51-217 of the general statutes is  
405 repealed and the following is substituted in lieu thereof (*Effective*  
406 *October 1, 2017*):

407 (a) All jurors shall be electors, or citizens of the United States who  
408 are residents of this state having a permanent place of abode in this  
409 state and appear on the list compiled by the Jury Administrator under  
410 subsection (b) of section 51-222a, who have reached the age of

411 eighteen. A person shall be disqualified to serve as a juror if such  
412 person: (1) Is found by a judge of the Superior Court to exhibit any  
413 quality which will impair the capacity of such person to serve as a  
414 juror, except that no person shall be disqualified on the basis of  
415 deafness or hearing impairment; (2) has been convicted of a felony  
416 within the past seven years or is a defendant in a pending felony case  
417 or is in the custody of the Commissioner of Correction; (3) is not able  
418 to speak and understand the English language; (4) is the Governor,  
419 Lieutenant Governor, Secretary of the State, Treasurer, Comptroller or  
420 Attorney General; (5) is a judge of the Probate Court, Superior Court,  
421 Appellate Court or Supreme Court, is a family support magistrate or is  
422 a federal court judge; (6) is a member of the General Assembly,  
423 provided such disqualification shall apply only while the General  
424 Assembly is in session; (7) is a registrar of voters or deputy registrar of  
425 voters of a municipality, provided such disqualification shall apply  
426 only during the period from twenty-one days before the date of a  
427 federal, state or municipal election, primary or referendum to twenty-  
428 one days after the date of such election, primary or referendum,  
429 inclusive; (8) is seventy years of age or older and chooses not to  
430 perform juror service; [or] (9) is incapable, by reason of a physical or  
431 mental disability, of rendering satisfactory juror service; or (10) for the  
432 jury year commencing on September 1, 2017, and each jury year  
433 thereafter, has served in the United States District Court for the District  
434 of Connecticut as (A) a federal juror on a matter that has been tried to a  
435 jury during the last three preceding jury years, or (B) a federal grand  
436 juror during the last three preceding jury years. Any person claiming a  
437 disqualification under subdivision (9) of this subsection [must] shall  
438 submit to the Jury Administrator a letter from a licensed health care  
439 provider stating the health care provider's opinion that such disability  
440 prevents the person from rendering satisfactory juror service. In  
441 reaching such opinion, the health care provider shall apply the  
442 following guideline: A person shall be capable of rendering  
443 satisfactory juror service if such person is able to perform a sedentary  
444 job requiring close attention for six hours per day, with short work  
445 breaks in the morning and afternoon sessions, for at least three

446 consecutive business days. Any person claiming a disqualification  
447 under subdivision (10) of this subsection shall supply proof of federal  
448 jury service satisfactory to the Jury Administrator.

449 Sec. 11. Section 51-345 of the general statutes is repealed and the  
450 following is substituted in lieu thereof (*Effective October 1, 2017*):

451 (a) Except as provided in section 51-348, as amended by this act, and  
452 subsections (b) to [(g)] (h), inclusive, of this section, all civil process  
453 shall be made returnable to a judicial district, as follows:

454 (1) If all the parties reside outside this state, to the judicial district  
455 where (A) the injury occurred, (B) the transaction occurred, or (C) the  
456 property is located or lawfully attached.

457 (2) If the defendant is not a resident, to the judicial district where the  
458 attached property is located.

459 (3) If either or both the plaintiff or defendant are residents of this  
460 state, to the judicial district where either the plaintiff or defendant  
461 resides, except:

462 (A) If either the plaintiff or the defendant resides in the town of  
463 Manchester, East Windsor, South Windsor or Enfield, the action may  
464 be made returnable at the option of the plaintiff to either the judicial  
465 district of Hartford or the judicial district of Tolland.

466 (B) If either the plaintiff or the defendant resides in the town of  
467 Plymouth, the action may be made returnable at the option of the  
468 plaintiff to either the judicial district of New Britain or the judicial  
469 district of Waterbury.

470 (C) If either the plaintiff or the defendant resides in the town of  
471 Bethany, Milford, West Haven or Woodbridge, the action may be  
472 made returnable at the option of the plaintiff to either the judicial  
473 district of New Haven or the judicial district of Ansonia-Milford.

474 (D) If either the plaintiff or the defendant resides in the town of

475 Southbury, the action may be made returnable at the option of the  
476 plaintiff to either the judicial district of Ansonia-Milford or the judicial  
477 district of Waterbury.

478 (E) If either the plaintiff or defendant resides in the town of Darien,  
479 Greenwich, New Canaan, Norwalk, Stamford, Weston, Westport or  
480 Wilton, the action may be made returnable at the option of the plaintiff  
481 to either the judicial district of Stamford-Norwalk or the judicial  
482 district of Fairfield.

483 (F) If either the plaintiff or defendant resides in the town of  
484 Watertown or Woodbury, the action may be made returnable at the  
485 option of the plaintiff to either the judicial district of Waterbury or the  
486 judicial district of Litchfield.

487 (G) If either the plaintiff or defendant resides in the town of Avon,  
488 Canton, Farmington or Simsbury, the action may be made returnable  
489 at the option of the plaintiff to either the judicial district of Hartford or  
490 the judicial district of New Britain.

491 (H) If either the plaintiff or defendant resides in the town of  
492 Newington, Rocky Hill or Wethersfield, the action may be made  
493 returnable at the option of the plaintiff to either the judicial district of  
494 Hartford or the judicial district of New Britain, except for actions  
495 where venue is in the geographical area as provided in section 51-348,  
496 as amended by this act, or in rules of court.

497 (I) If either the plaintiff or defendant resides in the town of  
498 Cromwell, the action may be made returnable at the option of the  
499 plaintiff to either the judicial district of Hartford or the judicial district  
500 of Middlesex.

501 (J) If either the plaintiff or defendant resides in the town of New  
502 Milford, the action may be made returnable at the option of the  
503 plaintiff to either the judicial district of Danbury or the judicial district  
504 of Litchfield.



505        (K) If either the plaintiff or the defendant resides in the town of  
506        Windham or Ashford, the action may be made returnable at the option  
507        of the plaintiff to either the judicial district of Windham or the judicial  
508        district of Tolland.

509        (b) In all actions involving the title to land, for trespass to land and  
510        to foreclose or redeem mortgages or liens upon real property, civil  
511        process shall be made returnable to the judicial district where the real  
512        property is located, either entirely or in part, except:

513        (1) If the land is located in the town of Manchester, East Windsor,  
514        South Windsor or Enfield and either the plaintiff or the defendant  
515        resides in the town of Manchester, East Windsor, South Windsor or  
516        Enfield, the action may be made returnable at the option of the plaintiff  
517        to either the judicial district of Hartford or the judicial district of  
518        Tolland.

519        (2) If the land is located in the town of Plymouth and either the  
520        plaintiff or the defendant resides in the town of Plymouth, the action  
521        may be made returnable at the option of the plaintiff to either the  
522        judicial district of New Britain or the judicial district of Waterbury.

523        (3) If the land is located in the town of Bethany, Milford, West  
524        Haven or Woodbridge and either the plaintiff or the defendant resides  
525        in the town of Bethany, Milford, West Haven or Woodbridge, the  
526        action may be made returnable at the option of the plaintiff to either  
527        the judicial district of New Haven or the judicial district of Ansonia-  
528        Milford.

529        (4) If the land is located in the town of Southbury and either the  
530        plaintiff or the defendant resides in the town of Southbury, the action  
531        may be made returnable at the option of the plaintiff to either the  
532        judicial district of Ansonia-Milford or the judicial district of  
533        Waterbury.

534        (5) If the land is located in the town of Weston, Westport or Wilton  
535        and either the plaintiff or the defendant resides in any one of these

536 towns, the action may be made returnable at the option of the plaintiff  
537 to either the judicial district of Stamford-Norwalk or the judicial  
538 district of Fairfield.

539 (6) If the land is located in the town of Watertown or Woodbury and  
540 either the plaintiff or the defendant resides in the town of Watertown  
541 or Woodbury, the action may be made returnable at the option of the  
542 plaintiff to either the judicial district of Waterbury or the judicial  
543 district of Litchfield.

544 (7) If the land is located in the town of Avon, Canton, Farmington or  
545 Simsbury and either the plaintiff or the defendant resides in the town  
546 of Avon, Canton, Farmington or Simsbury, the action may be made  
547 returnable at the option of the plaintiff to either the judicial district of  
548 Hartford or the judicial district of New Britain.

549 (8) If the land is located in the town of Newington, Rocky Hill or  
550 Wethersfield and either the plaintiff or the defendant resides in the  
551 town of Newington, Rocky Hill or Wethersfield, the action may be  
552 made returnable at the option of the plaintiff to either the judicial  
553 district of Hartford or the judicial district of New Britain, except for  
554 actions where venue is in the geographical area as provided in section  
555 51-348, as amended by this act, or in rules of court.

556 (9) If the land is located in the town of New Milford and either the  
557 plaintiff or the defendant resides in the town of New Milford, the  
558 action may be made returnable at the option of the plaintiff to either  
559 the judicial district of Danbury or the judicial district of Litchfield.

560 (c) In all actions by a corporation, except actions made returnable  
561 under subsection (b), (d) or (g) of this section, civil process shall be  
562 made returnable as follows:

563 (1) If the plaintiff is either a domestic corporation or a United States  
564 corporation and the defendant is a resident, either (A) to the judicial  
565 district where the plaintiff has an office or place of business or (B) to  
566 the judicial district where the defendant resides.

567 (2) If the plaintiff is either a domestic corporation or a United States  
568 corporation and the defendant is a corporation, domestic or foreign, to  
569 the judicial district where (A) the plaintiff has an office or place of  
570 business, (B) the injury occurred, (C) the transaction occurred, or (D)  
571 the property is located or lawfully attached.

572 (3) If the plaintiff is a foreign corporation and the defendant is a  
573 resident, to the judicial district where the defendant resides.

574 (4) If the plaintiff is a foreign corporation and the defendant is a  
575 corporation, domestic or foreign, to the judicial district where (A) the  
576 injury occurred, (B) the transaction occurred, or (C) the property is  
577 located or lawfully attached.

578 (d) In all actions involving consumer transactions, civil process shall  
579 be made returnable to the judicial district where the consumer resides  
580 or where the transaction occurred. For the purposes of this subsection,  
581 "consumer transaction" means a transaction in which a natural person  
582 obligates himself to pay for goods sold or leased, services rendered or  
583 moneys loaned for personal, family or household purposes.

584 (e) In all actions for the partition or sale of any property, civil  
585 process shall be made returnable to the judicial district where the  
586 parties, or one of them, reside; but, if none of them resides in this state,  
587 then to the judicial district where all or a part of the property is  
588 located.

589 (f) In all actions by a nonresident executor, trustee under a will or  
590 administrator, civil process shall be made returnable to the same  
591 judicial district as would be proper if the plaintiff resided in the town  
592 where the court of probate which granted administration is held.

593 (g) Venue for small claims matters shall be at Superior Court  
594 facilities designated by the Chief Court Administrator to hear such  
595 matters. In small claims matters, civil process shall be made returnable  
596 to the Superior Court facility designated by the Chief Court  
597 Administrator to serve the small claims area where the plaintiff

598 resides, where the defendant resides or is doing business or where the  
599 transaction or injury occurred. If the plaintiff is a domestic corporation,  
600 a United States corporation, a foreign corporation or a limited liability  
601 company, civil process shall be made returnable to a Superior Court  
602 facility designated by the Chief Court Administrator to serve the small  
603 claims area where the defendant resides or is doing business or where  
604 the transaction or injury occurred.

605 (h) (1) In all actions involving housing matters, as defined in section  
606 47a-68, civil process shall be made returnable to the judicial district  
607 where the premises are located, except that actions described in  
608 subdivision (6) of section 47a-68 shall be heard in the geographical area  
609 where the premises are located unless otherwise provided in  
610 subsection (d) of section 51-348, as amended by this act.

611 (2) Notwithstanding the provisions of subdivision (1) of this  
612 subsection concerning the judicial district to which civil process shall  
613 be made returnable:

614 (A) If the premises are located in Avon, Canton, Farmington,  
615 Newington, Rocky Hill, Simsbury or Wethersfield, the action may be  
616 made returnable at the option of the plaintiff to either the judicial  
617 district of Hartford or the judicial district of New Britain.

618 (B) If the premises are located in Ansonia, Beacon Falls, Derby,  
619 Oxford, Seymour or Shelton, the action shall be made returnable to the  
620 judicial district of Ansonia-Milford. After the filing of the action, the  
621 plaintiff or defendant may request a change in venue to the judicial  
622 district of New Haven or the judicial district of Waterbury.

623 (C) If the premises are located in Milford, Orange or West Haven,  
624 the action shall be made returnable to the judicial district of New  
625 Haven.

626 Sec. 12. Subsection (a) of section 51-346 of the general statutes is  
627 repealed and the following is substituted in lieu thereof (*Effective from*  
628 *passage*):

629 (a) Process in all civil actions brought to a judicial district, except  
630 small claims as provided in subsection (b) of this section, shall be made  
631 returnable as follows:

632 (1) If brought to the judicial district of Ansonia-Milford, to the court  
633 at Ansonia or Milford as the plaintiff elects;

634 (2) If brought to the judicial district of Danbury, to the court at  
635 Danbury;

636 (3) If brought to the judicial district of Fairfield, to the court at  
637 Bridgeport;

638 (4) If brought to the judicial district of Hartford, to the court at  
639 Hartford;

640 (5) If brought to the judicial district of Litchfield, to the courthouse  
641 for the judicial district of Litchfield;

642 (6) If brought to the judicial district of Middlesex, to the court at  
643 Middletown;

644 (7) If brought to the judicial district of New Britain, to the court at  
645 New Britain or Bristol as the plaintiff elects;

646 (8) If brought to the judicial district of New Haven, to the court at  
647 New Haven or Meriden as the plaintiff elects;

648 (9) If brought to the judicial district of New London, to the court at  
649 New London or Norwich as the plaintiff elects;

650 (10) If brought to the judicial district of Stamford-Norwalk, to the  
651 court at Stamford;

652 (11) If brought to the judicial district of Tolland, to the court at  
653 Rockville;

654 (12) If brought to the judicial district of Waterbury, to the court at  
655 Waterbury;

656 (13) If brought to the judicial district of Windham, to the court at  
657 Putnam. [or Willimantic as the plaintiff elects.]

658 Sec. 13. Subsection (a) of section 51-347 of the general statutes is  
659 repealed and the following is substituted in lieu thereof (*Effective from*  
660 *passage*):

661 (a) Except as provided in subsection (b) of this section, any writ  
662 returnable to a judicial district and any motion, pleading or  
663 appearance shall be filed with the clerk of the judicial district to which  
664 the writ is returnable as follows:

665 (1) At the courthouse for the judicial district of Ansonia-Milford if  
666 returnable to the judicial district of Ansonia-Milford at Ansonia or  
667 Milford;

668 (2) At Danbury if returnable to the judicial district of Danbury;

669 (3) At Bridgeport if returnable to the judicial district of Fairfield;

670 (4) At Hartford if returnable to the judicial district of Hartford;

671 (5) At the courthouse for the judicial district of Litchfield if  
672 returnable to the judicial district of Litchfield;

673 (6) At Middletown if returnable to the judicial district of Middlesex;

674 (7) At New Britain if returnable to the judicial district of New Britain  
675 at New Britain or Bristol;

676 (8) (A) At New Haven if returnable to the judicial district of New  
677 Haven at New Haven, (B) at Meriden if returnable to the judicial  
678 district of New Haven at Meriden;

679 (9) (A) At New London if returnable to the judicial district of New  
680 London at New London, (B) at Norwich if returnable to the judicial  
681 district of New London at Norwich;

682 (10) At Stamford if returnable to the judicial district of Stamford-

683 Norwalk;

684 (11) At Rockville if returnable to the judicial district of Tolland;

685 (12) At Waterbury if returnable to the judicial district of Waterbury;  
686 and

687 (13) At Putnam if returnable to the judicial district of Windham, [at  
688 Putnam or Willimantic.]

689 Sec. 14. Section 51-27c of the general statutes is repealed and the  
690 following is substituted in lieu thereof (*Effective from passage*):

691 A convenient place for holding the Superior Court at Rockville [ ]  
692 and Putnam [and Willimantic] shall be furnished by the Commissioner  
693 of Administrative Services.

694 Sec. 15. Section 51-348 of the general statutes is repealed and the  
695 following is substituted in lieu thereof (*Effective from passage*):

696 (a) The geographical areas of the Court of Common Pleas  
697 established pursuant to section 51-156a, revised to 1975, shall be the  
698 geographical areas of the Superior Court on July 1, 1978. The Chief  
699 Court Administrator, after consultation with the judges of the Superior  
700 Court, may alter the boundary of any geographical area to provide for  
701 a new geographical area provided that each geographical area so  
702 altered or so authorized shall remain solely within the boundary of a  
703 single judicial district.

704 (b) Such geographical areas shall serve for purposes of establishing  
705 venue for the following matters: (1) The presentment of defendants in  
706 motor vehicle matters, except as provided in subsection [(d)] (e) of this  
707 section; (2) the arraignment of defendants in criminal matters; [(3)  
708 housing matters as defined in section 47a-68, except that (A) in the  
709 judicial districts of Hartford, New Britain, New Haven, Fairfield,  
710 Waterbury, Middlesex, Tolland and Stamford-Norwalk and in any  
711 other judicial district for which the Chief Court Administrator  
712 determines that the prompt and proper administration of judicial

713 business requires that venue for housing matters be in the judicial  
714 district, venue shall be in the judicial district, and (B) in the judicial  
715 district of Ansonia-Milford, venue shall be in the geographical area  
716 unless (i) the plaintiff requests a change in venue to either the judicial  
717 district of New Haven or the judicial district of Waterbury, or (ii) the  
718 premises are located in the town of Milford, Orange or West Haven, in  
719 which case venue shall be in the judicial district of New Haven; (4)]  
720 and (3) such other matters as the judges of the Superior Court may  
721 determine by rule.

722 (c) For the prompt and proper administration of judicial business,  
723 any matter and any trial can be heard in any courthouse within a  
724 judicial district, at the discretion of the Chief Court Administrator, if  
725 the use of such courthouse for such matter or trial is convenient to  
726 litigants and their counsel and is a practical use of judicial personnel  
727 and facilities, except juvenile matters may be heard as provided in  
728 section 46b-122. Whenever practicable family relations matters shall be  
729 heard in facilities most convenient to the litigants. [Housing matters, as  
730 defined in section 47a-68, shall be heard on a docket separate from  
731 other matters within the judicial districts of Hartford, New Britain,  
732 New Haven, Fairfield, Waterbury and Stamford-Norwalk, provided in  
733 the judicial district of New Britain such matters shall be heard by the  
734 judge assigned to hear housing matters in the judicial district of  
735 Hartford, in the judicial district of Waterbury such matters shall be  
736 heard by the judge assigned to hear housing matters in the judicial  
737 district of New Haven, and in the judicial district of Stamford-Norwalk  
738 such matters shall be heard by the judge assigned to hear housing  
739 matters in the judicial district of Fairfield. The records, files and other  
740 documents pertaining to housing matters shall be maintained separate  
741 from the records, files and other documents of the court. Matters do  
742 not have to be heard in the facilities to which the process is returned  
743 and the pleadings filed.]

744 (d) In any judicial district in which housing matters are heard on a  
745 separate docket under section 16 of this act, venue for an action  
746 pertaining to one or more violations of any state or municipal health,



747 housing, building, electrical, plumbing, fire or sanitation code,  
748 including violations occurring in commercial properties, or of any  
749 other statute, ordinance or regulation concerned with the health, safety  
750 or welfare of any occupant of any housing shall be in the housing  
751 session for the judicial district, except that venue for such an action  
752 concerning premises located in Milford, Orange or West Haven shall  
753 be in the judicial district of New Haven. In all other judicial districts,  
754 venue for such actions, if placed on the criminal docket, shall be in the  
755 geographical area where the premises are located.

756 [(d)] (e) Venue for infractions and violations that may be heard and  
757 decided by a magistrate pursuant to section 51-193u shall be at  
758 Superior Court facilities designated by the Chief Court Administrator  
759 to hear such matters.

760 (f) In any other matter, an action shall be made returnable to the  
761 geographical area as is prescribed by statute.

762 Sec. 16. (NEW) (*Effective from passage*) Housing matters, as defined in  
763 section 47a-68 of the general statutes, shall be heard on a docket  
764 separate from other matters within the judicial districts of Hartford,  
765 New Britain, New Haven, Fairfield, Waterbury and Stamford-  
766 Norwalk, provided in the judicial district of (1) New Britain, such  
767 matters shall be heard by the judge assigned to hear housing matters in  
768 the judicial district of Hartford, (2) Waterbury, such matters shall be  
769 heard by the judge assigned to hear housing matters in the judicial  
770 district of New Haven, and (3) Stamford-Norwalk, such matters shall  
771 be heard by the judge assigned to hear housing matters in the judicial  
772 district of Fairfield. The records, files and other documents pertaining  
773 to housing matters shall be maintained separate from the records, files  
774 and other documents of the court. Housing matters do not have to be  
775 heard in the facilities to which the process is returned and the  
776 pleadings are filed.

777 Sec. 17. Subsection (a) of section 52-259 of the general statutes is  
778 repealed and the following is substituted in lieu thereof (*Effective*

779     October 1, 2017):

780         (a) There shall be paid to the clerks for entering each appeal or writ  
781 of error to the Supreme Court, or entering each appeal to the Appellate  
782 Court, as the case may be, two hundred fifty dollars, and for each civil  
783 cause in the Superior Court, three hundred sixty dollars, except (1) two  
784 hundred thirty dollars for entering each case in the Superior Court in  
785 which the sole claim for relief is damages and the amount, legal  
786 interest or property in demand is less than two thousand five hundred  
787 dollars; (2) one hundred seventy-five dollars for summary process and  
788 landlord and tenant actions; [and] (3) there shall be no entry fee for  
789 making an application to the Superior Court for relief under section  
790 46b-15 or 46b-16a, as amended by this act, or for making an application  
791 to modify or extend an order issued pursuant to section 46b-15 or 46b-  
792 16a, as amended by this act; and (4) there shall be no entry fee for a  
793 civil action brought under section 53a-28a, as amended by this act. If  
794 the amount, legal interest or property in demand by the plaintiff is  
795 alleged to be less than two thousand five hundred dollars, a new entry  
796 fee of seventy-five dollars shall be charged if the plaintiff amends his  
797 or her complaint to state that such demand is not less than two  
798 thousand five hundred dollars.

799         Sec. 18. Section 53a-28a of the general statutes is repealed and the  
800 following is substituted in lieu thereof (*Effective October 1, 2017*):

801         All financial obligations ordered pursuant to subsection (c) of  
802 section 53a-28 or subsection (a) of section 53a-30, as amended by this  
803 act, may be enforced in the same manner as a judgment in a civil action  
804 by the party or entity to whom the obligation is owed. The party or  
805 entity seeking enforcement of the financial obligations as a judgment  
806 in a civil action shall file with the Superior Court a copy of the court's  
807 order of restitution ordered pursuant to section 53a-28 or 53a-30, as  
808 amended by this act, together with an affidavit prepared by the agency  
809 or entity monitoring payment of the obligations, on a form prescribed  
810 by the Office of the Chief Court Administrator, attesting to the terms of  
811 restitution and manner of performance fixed by the court or the Court

812 Support Services Division, identifying the amount of the obligation  
813 that has been paid and the amount of the obligation that is owed. Such  
814 obligations may be enforced at any time during the ten-year period  
815 following the offender's release from confinement or termination of  
816 probation, or within ten years of the entry of the order and sentence,  
817 whichever is longer. There shall be no entry fee for filing an  
818 enforcement action pursuant to this section. Not later than thirty days  
819 after the date of filing of the judgment and the affidavit, the party or  
820 entity seeking enforcement of such judgment shall mail notice of filing  
821 of the judgment by registered or certified mail, return receipt  
822 requested, to the offender at such offender's last-known address. The  
823 proceeds of an execution shall not be distributed to the party or entity  
824 seeking enforcement of such judgment earlier than thirty days after the  
825 date of filing proof of service with the clerk of the court in which  
826 enforcement of such judgment is sought. No fee shall be required for  
827 the filing of an execution. The payment of marshal's fees for service of  
828 an execution shall be collected in accordance with the provisions of  
829 section 52-261.

830 Sec. 19. Subsection (a) of section 53a-30 of the general statutes is  
831 repealed and the following is substituted in lieu thereof (*Effective*  
832 *October 1, 2017*):

833 (a) When imposing sentence of probation or conditional discharge,  
834 the court may, as a condition of the sentence, order that the defendant:  
835 (1) Work faithfully at a suitable employment or faithfully pursue a  
836 course of study or of vocational training that will equip the defendant  
837 for suitable employment; (2) undergo medical or psychiatric treatment  
838 and remain in a specified institution, when required for that purpose;  
839 (3) support the defendant's dependents and meet other family  
840 obligations; (4) make restitution of the fruits of the defendant's offense  
841 or make restitution, in an amount the defendant can afford to pay or  
842 provide in a suitable manner, for the loss or damage caused thereby.  
843 [and the court] The court or the Court Support Services Division, if  
844 authorized by the court, may fix the amount thereof and the manner of  
845 performance, and the victim shall be advised by the court or the Court

846 Support Services Division that restitution ordered under this section  
847 may be enforced pursuant to section 53a-28a, as amended by this act;  
848 (5) if a minor, (A) reside with the minor's parents or in a suitable foster  
849 home, (B) attend school, and (C) contribute to the minor's own support  
850 in any home or foster home; (6) post a bond or other security for the  
851 performance of any or all conditions imposed; (7) refrain from  
852 violating any criminal law of the United States, this state or any other  
853 state; (8) if convicted of a misdemeanor or a felony, other than a capital  
854 felony under the provisions of section 53a-54b in effect prior to April  
855 25, 2012, a class A felony or a violation of section 21a-278, 21a-278a,  
856 53a-55, 53a-56, 53a-56b, 53a-57, 53a-58 or 53a-70b or any offense for  
857 which there is a mandatory minimum sentence which may not be  
858 suspended or reduced by the court, and any sentence of imprisonment  
859 is suspended, participate in an alternate incarceration program; (9)  
860 reside in a residential community center or halfway house approved  
861 by the Commissioner of Correction, and contribute to the cost incident  
862 to such residence; (10) participate in a program of community service  
863 labor in accordance with section 53a-39c; (11) participate in a program  
864 of community service in accordance with section 51-181c; (12) if  
865 convicted of a violation of subdivision (2) of subsection (a) of section  
866 53-21, section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a or 53a-72b,  
867 undergo specialized sexual offender treatment; (13) if convicted of a  
868 criminal offense against a victim who is a minor, a nonviolent sexual  
869 offense or a sexually violent offense, as defined in section 54-250, or of  
870 a felony that the court finds was committed for a sexual purpose, as  
871 provided in section 54-254, register such person's identifying factors, as  
872 defined in section 54-250, with the Commissioner of Emergency  
873 Services and Public Protection when required pursuant to section 54-  
874 251, 54-252 or 54-253, as the case may be; (14) be subject to electronic  
875 monitoring, which may include the use of a global positioning system;  
876 (15) if convicted of a violation of section 46a-58, 53-37a, 53a-181j, 53a-  
877 181k or 53a-181l, participate in an anti-bias crime education program;  
878 (16) if convicted of a violation of section 53-247, undergo psychiatric or  
879 psychological counseling or participate in an animal cruelty  
880 prevention and education program provided such a program exists

881 and is available to the defendant; or (17) satisfy any other conditions  
882 reasonably related to the defendant's rehabilitation. The court shall  
883 cause a copy of any such order to be delivered to the defendant and to  
884 the probation officer, if any.

885 Sec. 20. Subsection (h) of section 54-56j of the general statutes is  
886 repealed and the following is substituted in lieu thereof (*Effective*  
887 *October 1, 2017*):

888 (h) The school violence prevention program shall consist of [at least  
889 eight] group counseling sessions in anger management and nonviolent  
890 conflict resolution.

891 Sec. 21. Section 54-201 of the general statutes is repealed and the  
892 following is substituted in lieu thereof (*Effective October 1, 2017*):

893 As used in sections 54-201 to [54-233] 54-235, inclusive:

894 (1) "Victim" means a person who is injured or killed as provided in  
895 section 54-209, as amended by this act;

896 (2) "Personal injury" means (A) actual bodily harm [and mental  
897 anguish which is the direct result of bodily injury] or emotional harm  
898 and includes pregnancy and any condition thereof, or (B) injury or  
899 death to a [guide dog or assistance dog] service animal owned or kept  
900 by a [blind or disabled] person with a disability;

901 (3) "Dependent" means any relative of a deceased victim or a person  
902 designated by a deceased victim in accordance with section 1-56r who  
903 was wholly or partially dependent upon his income at the time of his  
904 death or the child of a deceased victim and shall include the child of  
905 such victim born after his death;

906 (4) "Relative" means a person's spouse, parent, grandparent,  
907 stepparent, aunt, uncle, niece, nephew, child, including a natural born  
908 child, stepchild and adopted child, grandchild, brother, sister, half  
909 brother or half sister or a parent of a person's spouse;

910 (5) "Crime" means any act which is a felony, as defined in section  
911 53a-25, or misdemeanor, as defined in section 53a-26, and includes any  
912 crime committed by a juvenile; and

913 (6) "Emotional harm" means a mental or emotional impairment that  
914 requires treatment through services and that is directly attributable to  
915 a threat of (A) physical injury, as defined in subdivision (3) of section  
916 53a-3, or (B) death to the affected person.

917 Sec. 22. Section 54-203 of the general statutes is repealed and the  
918 following is substituted in lieu thereof (*Effective October 1, 2017*):

919 (a) There is established an Office of Victim Services within the  
920 Judicial Department.

921 (b) The Office of Victim Services shall have the following powers  
922 and duties:

923 (1) To direct each hospital, whether public or private, each  
924 university or college health services center, whether public or private,  
925 and each community health center, as defined in section 19a-490a, to  
926 [display prominently in its emergency room] prominently display  
927 posters in a conspicuous location giving notice of the availability of  
928 compensation and assistance to victims of crime or their dependents  
929 pursuant to sections 54-201 to [54-233] 54-218, inclusive, as amended  
930 by this act, and to direct every law enforcement agency of the state to  
931 inform victims of crime or their dependents of their rights pursuant to  
932 sections 54-201 to [54-233] 54-218, inclusive, as amended by this act;

933 (2) To [request] obtain from the office of the state's attorney, state  
934 police, local police departments or any law enforcement agency such  
935 investigation and data as will enable the Office of Victim Services to  
936 determine if in fact the applicant was a victim of a crime or attempted  
937 crime and the extent, if any, to which the victim or claimant was  
938 responsible for his own injury, including, but not limited to, a request  
939 for information form promulgated by the Office of Victim Services;

940 (3) To request from the Department of Correction, other units of the  
941 Judicial Department and the Board of Pardons and Paroles such  
942 information as will enable the Office of Victim Services to determine if  
943 in fact a person who has requested notification pursuant to section 54-  
944 228 was a victim of a crime;

945 [(4) To direct medical examination of victims as a requirement for  
946 payment under sections 54-201 to 54-233, inclusive;]

947 [(5)] (4) To take or cause to be taken affidavits or depositions within  
948 or without the state;

949 [(6)] (5) To apply for, receive, allocate, disburse and account for  
950 grants of funds made available by the United States, by the state,  
951 foundations, corporations and other businesses, agencies or  
952 individuals to implement a program for victim services which shall  
953 assist witnesses and victims of crimes as the Office of Victim Services  
954 deems appropriate within the resources available and to coordinate  
955 services to victims by state and community-based agencies, with  
956 priority given to victims of violent crimes, by (A) assigning [, in  
957 consultation with the Division of Criminal Justice,] such victim  
958 advocates as are necessary to provide assistance; (B) administering  
959 victim service programs; and (C) awarding grants or purchase of  
960 service contracts to private nonprofit organizations or local units of  
961 government for the direct delivery of services, except that the  
962 provision of training and technical assistance of victim service  
963 providers and the development and implementation of public  
964 education campaigns may be provided by private nonprofit or for-  
965 profit organizations or local units of government. Such grants and  
966 contracts shall be the predominant method by which the Office of  
967 Victim Services shall develop, implement and operate direct service  
968 programs and provide training and technical assistance to victim  
969 service providers;

970 [(7)] (6) To provide each person who applies for compensation  
971 pursuant to section 54-204, as amended by this act, within ten days of

972 the date of receipt of such application, with a written list of rights of  
973 victims of crime involving personal injury and the programs available  
974 in this state to assist such victims. The Office of Victim Services, the  
975 state or any agent, employee or officer thereof shall not be liable for the  
976 failure to supply such list or any alleged inadequacies of such list. Such  
977 list shall include, but not be limited to:

978 (A) Subject to the provisions of sections 18-81e and 51-286e, the  
979 victim shall have the right to be informed concerning the status of his  
980 or her case and to be informed of the release from custody of the  
981 defendant;

982 (B) Subject to the provisions of section 54-91c, the victim shall have  
983 the right to present a statement of his or her losses, injuries and wishes  
984 to the prosecutor and the court prior to the acceptance by the court of a  
985 plea of guilty or nolo contendere made pursuant to a plea agreement  
986 with the state wherein the defendant pleads to a lesser offense than the  
987 offense with which the defendant was originally charged;

988 (C) Subject to the provisions of section 54-91c, prior to the  
989 imposition of sentence upon the defendant, the victim shall have the  
990 right to submit a statement to the prosecutor as to the extent of any  
991 injuries, financial losses and loss of earnings directly resulting from the  
992 crime. Upon receipt of the statement, the prosecutor shall file the  
993 statement with the sentencing court and the statement shall be made a  
994 part of the record and considered by the court at the sentencing  
995 hearing;

996 (D) Subject to the provisions of section 54-126a, the victim shall have  
997 the right to appear before a panel of the Board of Pardons and Paroles  
998 and make a statement as to whether the defendant should be released  
999 on parole and any terms or conditions to be imposed upon any such  
1000 release;

1001 (E) Subject to the provisions of section 54-36a, the victim shall have  
1002 the right to have any property the victim owns which was seized by  
1003 police in connection with an arrest to be returned;



1004 (F) Subject to the provisions of sections 54-56e and 54-142c, the  
1005 victim shall have the right to be notified of the application by the  
1006 defendant for the pretrial program for accelerated rehabilitation and to  
1007 obtain from the court information as to whether the criminal  
1008 prosecution in the case has been dismissed;

1009 (G) Subject to the provisions of section 54-85b, the victim cannot be  
1010 fired, harassed or otherwise retaliated against by an employer for  
1011 appearing under a subpoena as a witness in any criminal prosecution;

1012 (H) Subject to the provisions of section 54-86g, the parent or legal  
1013 guardian of a child twelve years of age or younger who is a victim of  
1014 child abuse or sexual assault may request special procedural  
1015 considerations to be taken during the testimony of the child;

1016 (I) Subject to the provisions of section 46b-15, the victim of assault  
1017 by a spouse or former spouse, family or household member has the  
1018 right to request the arrest of the offender, request a protective order  
1019 and apply for a restraining order;

1020 (J) Subject to the provisions of sections 52-146k, 54-86e and 54-86f,  
1021 the victim of sexual assault or domestic violence can expect certain  
1022 records to remain confidential; and

1023 (K) Subject to the provisions of section 53a-32, the victim and any  
1024 victim advocate assigned to assist the victim may receive notification  
1025 from a probation officer whenever the officer has notified a police  
1026 officer that the probation officer has probable cause to believe that the  
1027 offender has violated a condition of such offender's probation;

1028 [(8)] (7) Within available appropriations, to [establish] maintain a  
1029 victim's assistance center which shall [provide a victims' rights  
1030 information clearinghouse which shall be a central repository of  
1031 information regarding rights of victims of crime and services available  
1032 to such victims and shall collect and disseminate such information to  
1033 assist victims] (A) make available to victims information regarding  
1034 victim's rights and available services, (B) maintain a victims'

1035 notification system pursuant to sections 54-227 to 54-230a, inclusive, as  
1036 amended by this act, and 54-235, and (C) maintain a toll-free number  
1037 for access to information regarding victims' rights and available  
1038 services;

1039 [(9) To provide a victims' notification clearinghouse which shall be a  
1040 central repository for requests for notification filed pursuant to  
1041 sections 54-228 and 54-229, and to notify persons who have filed such a  
1042 request whenever an inmate has applied for release from a correctional  
1043 institution or reduction of sentence or review of sentence pursuant to  
1044 section 54-227 or whenever an inmate is scheduled to be released from  
1045 a correctional institution and to provide victims of family violence  
1046 crimes, upon request, information concerning any modification or  
1047 termination of criminal orders of protection;]

1048 [(10)] (8) To provide a telephone helpline that shall provide  
1049 information on referrals for various services for victims of crime and  
1050 their families;

1051 [(11)] (9) To provide staff services to a state advisory council. The  
1052 council shall consist of not more than fifteen members to be appointed  
1053 by the Chief Justice and shall include the Chief Victim Compensation  
1054 Commissioner and members who represent victim populations,  
1055 including but not limited to, homicide survivors, family violence  
1056 victims, sexual assault victims, victims of drunk drivers, and assault  
1057 and robbery victims, and members who represent the judicial branch  
1058 and executive branch agencies involved with victims of crime. The  
1059 members shall serve for terms of four years. Any vacancy in the  
1060 membership shall be filled by the appointing authority for the balance  
1061 of the unexpired term. The members shall receive no compensation for  
1062 their services. The council shall meet at least [six] four times a year.  
1063 The council shall recommend to the Office of Victim Services program,  
1064 legislative or other matters which would improve services to victims of  
1065 crime and develop and coordinate needs assessments for both court-  
1066 based and community-based victim services. The Chief Justice shall  
1067 appoint two members to serve as [cochairmen] cochairpersons. Not

1068 later than December fifteenth of each year, the council shall report the  
1069 results of its findings and activities to the Chief Court Administrator;

1070 [(12)] (10) To utilize such voluntary and uncompensated services of  
1071 private individuals, agencies and organizations as may from time to  
1072 time be offered and needed;

1073 [(13)] (11) To recommend policies and make recommendations to  
1074 agencies and officers of the state and local subdivisions of government  
1075 relative to victims of crime;

1076 [(14)] (12) To provide support and assistance to state-wide victim  
1077 services coalitions and groups;

1078 [(15) Within available appropriations to establish a crime victims'  
1079 information clearinghouse which shall be a central repository for  
1080 information collected pursuant to subdivision (9) of this subsection  
1081 and information made available through the criminal justice  
1082 information system, to provide a toll-free telephone number for access  
1083 to such information and to develop a plan, in consultation with all  
1084 agencies required to provide notification to victims, outlining any  
1085 needed statutory changes, resources and working agreements  
1086 necessary to make the Office of Victim Services the lead agency for  
1087 notification of victims, which plan shall be submitted to the General  
1088 Assembly not later than February 15, 2000;]

1089 [(16)] (13) To provide a training program for judges, prosecutors,  
1090 police, probation and parole personnel, bail commissioners, intake,  
1091 assessment and referral specialists, officers from the Department of  
1092 Correction and judicial marshals to inform them of victims' rights and  
1093 available services;

1094 [(17) To establish] (14) To (A) maintain, within available  
1095 appropriations, a sexual assault forensic examiners program that will  
1096 train and make available sexual assault forensic examiners to  
1097 adolescent and adult victims of sexual assault who are patients at  
1098 participating [acute care hospitals] health care facilities. In order to

1099 [establish and implement] maintain such program, the Office of Victim  
1100 Services may apply for, receive, allocate, disburse and account for  
1101 grants of funds made available by the United States, the state,  
1102 foundations, corporations and other businesses, agencies or  
1103 individuals; or (B) establish, within available appropriations, a training  
1104 program for health care professionals in nonparticipating health care  
1105 facilities on the care of and collection of evidence from adolescent and  
1106 adult victims of sexual assault;

1107 [(18)] (15) To provide victims of crime and the general public with  
1108 information detailing the process by which a victim may register to  
1109 receive notices of hearings of the Board of Pardons and Paroles; and

1110 [(19)] (16) To submit to the joint standing committee of the General  
1111 Assembly having cognizance of matters relating to victim services, in  
1112 accordance with the provisions of section 11-4a, on or before January  
1113 15, 2000, and biennially thereafter a report of its activities under  
1114 sections 54-201 to [54-233] 54-235, inclusive, as amended by this act.  
1115 [including, but not limited to, implementation of training activities and  
1116 mandates. Such report shall include the types of training provided,  
1117 entities providing training and recipients of training.]

1118 Sec. 23. Section 54-204 of the general statutes is repealed and the  
1119 following is substituted in lieu thereof (*Effective October 1, 2017*):

1120 (a) Any person who may be eligible for compensation [or restitution  
1121 services, or both,] pursuant to sections 54-201 to [54-233] 54-218,  
1122 inclusive, as amended by this act, may make application therefor to the  
1123 Office of Victim Services. If the person entitled to make application is a  
1124 minor or [incompetent] a person who lacks capacity, the application  
1125 may be made on such person's behalf by a parent, guardian or other  
1126 legal representative of the minor or [incompetent] person who lacks  
1127 capacity.

1128 (b) In order to be eligible for compensation [or restitution] services  
1129 under sections 54-201 to [54-233] 54-218, inclusive, as amended by this  
1130 act, the applicant shall, prior to a determination on any application

1131 made pursuant to sections 54-201 to [54-233] 54-218, inclusive, as  
1132 amended by this act, submit reports if reasonably available from all  
1133 physicians, [or] surgeons, [or] advanced practice registered nurses or  
1134 mental health professionals who have treated or examined the victim  
1135 in relation to the injury for which compensation is claimed at the time  
1136 of or subsequent to the victim's injury or death. If in the opinion of the  
1137 Office of Victim Services or, on review, a victim compensation  
1138 commissioner, reports on the previous medical history of the victim,  
1139 examination of the injured victim and a report thereon or a report on  
1140 the cause of death of the victim by an impartial medical expert would  
1141 be of material aid to its just determination, said office or commissioner  
1142 shall order such reports and examinations. Any information received  
1143 which is confidential in accordance with any provision of the general  
1144 statutes shall remain confidential while in the custody of the Office of  
1145 Victim Services or a victim compensation commissioner.

1146 Sec. 24. Section 54-206 of the general statutes is repealed and the  
1147 following is substituted in lieu thereof (*Effective October 1, 2017*):

1148 (a) The Office of Victim Services or, on review, a victim  
1149 compensation commissioner may, as part of any order entered under  
1150 sections 54-201 to [54-233] 54-218, inclusive, as amended by this act,  
1151 determine and allow reasonable attorney's fees, which shall not exceed  
1152 fifteen per cent of the amount awarded as compensation under section  
1153 54-208, as amended by this act, to be paid out of but not in addition to  
1154 the amount of such compensation. No [such] attorney shall ask for,  
1155 contract for or receive any larger sum than the amount so allowed.

1156 (b) The attorney representing the victim shall pay providers as  
1157 documented by the Office of Victim Services. The attorney shall  
1158 communicate with providers regarding outstanding balances after  
1159 attorney's fees are deducted, and shall ensure payment to such  
1160 providers.

1161 Sec. 25. Section 54-208 of the general statutes is repealed and the  
1162 following is substituted in lieu thereof (*Effective October 1, 2017*):

1163 (a) If a person [is injured] suffers a personal injury or is killed as  
1164 provided in section 54-209, as amended by this act, the Office of Victim  
1165 Services or, on review, a victim compensation commissioner may  
1166 order the payment of compensation in accordance with the provisions  
1167 of sections 54-201 to [54-233] 54-218, inclusive, as amended by this act:  
1168 (1) To or for the benefit of the injured person; (2) in the case of personal  
1169 injury of the victim, to any person responsible for the [maintenance]  
1170 care of the victim who has suffered pecuniary loss as a result of such  
1171 injury; [or] (3) in the case of death of the victim, to or for the benefit of  
1172 any one or more of the dependents of the victim, including any  
1173 dependent child of a homicide victim who was killed by the other  
1174 parent or to any person who has suffered pecuniary loss, including,  
1175 but not limited to, funeral expenses, as a result of such death; or (4) to  
1176 any person who has suffered a pecuniary loss due to a crime scene  
1177 cleanup.

1178 (b) For the purposes of sections 54-201 to [54-233] 54-218, inclusive,  
1179 as amended by this act, a person shall be deemed to have intended an  
1180 act notwithstanding that, by reason of age, insanity, drunkenness or  
1181 otherwise, [he] such person was legally incapable of forming a  
1182 criminal intent.

1183 (c) In determining whether to make an order under this section, the  
1184 Office of Victim Services or, on review, a victim compensation  
1185 commissioner shall consider all circumstances determined to be  
1186 relevant, including, but not limited to, provocation, consent or any  
1187 other behavior of the victim which directly or indirectly contributed to  
1188 such victim's injury or death, the extent of the victim's cooperation in  
1189 investigating the application and the extent of the victim's cooperation  
1190 with law enforcement agencies in their efforts to apprehend and  
1191 prosecute the offender, and any other relevant matters.

1192 (d) An order may be made under this section whether or not any  
1193 person is prosecuted or convicted of any offense arising out of such  
1194 act. [Upon application made by an appropriate prosecuting authority,  
1195 the Office of Victim Services or a victim compensation commissioner

1196 may suspend making any determination or any proceedings, as the  
1197 case may be, under sections 54-201 to 54-233, inclusive, for such period  
1198 as it deems appropriate on the ground that a prosecution for an offense  
1199 arising out of such act or omission has been commenced or is  
1200 imminent.]

1201 (e) In determining the amount of compensation to be allowed, the  
1202 Office of Victim Services or, on review, a victim compensation  
1203 commissioner, shall take into consideration any amounts that the  
1204 applicant has received or is eligible to receive from any other source or  
1205 sources, including, but not limited to, payments from state and  
1206 municipal agencies, [health] insurance benefits, and workers'  
1207 compensation awards, as a result of the incident or offense giving rise  
1208 to the application. For the purposes of this section, life insurance  
1209 benefits received by the applicant shall not be taken into consideration  
1210 by the Office of Victim Services or a victim compensation  
1211 commissioner. In a case involving circumstances under which a victim  
1212 of domestic violence, sexual assault or child abuse, or a claimant in  
1213 such a case, believes that the dissemination of treatment information  
1214 associated with a health insurance claim would cause undue harm, the  
1215 Office of Victim Services may waive the consideration of health  
1216 insurance as a collateral source.

1217 (f) Payments shall be made in a manner to be determined by the  
1218 Office of Victim Services, including, but not limited to, lump sum or  
1219 periodic payments. If an award is not claimed by the applicant within  
1220 forty-five days after notice of the award, the Office of Victim Services  
1221 may [vacate] administratively close such award or may order  
1222 payments from such award to health care providers or victim service  
1223 providers and [vacate] administratively close any remaining amount of  
1224 such award.

1225 Sec. 26. Section 54-209 of the general statutes is repealed and the  
1226 following is substituted in lieu thereof (*Effective October 1, 2017*):

1227 (a) The Office of Victim Services or, on review, a victim

1228 compensation commissioner, may order the payment of compensation  
1229 in accordance with the provisions of sections 54-201 to [54-233] 54-218,  
1230 inclusive, as amended by this act, for personal injury or death which  
1231 resulted from: (1) An attempt to prevent the commission of crime or to  
1232 apprehend a suspected criminal or in aiding or attempting to aid a  
1233 police officer so to do, (2) the commission or attempt to commit by  
1234 another of any crime as provided in section 53a-24, (3) any crime that  
1235 occurred outside the territorial boundaries of the United States that  
1236 would be considered a crime within this state, provided the victim of  
1237 such crime is a resident of this state, or (4) any crime involving  
1238 international terrorism as defined in Section 2331 of Title 18 of the  
1239 United States Code.

1240 (b) The Office of Victim Services or, on review, a victim  
1241 compensation commissioner, may also order the payment of  
1242 compensation in accordance with the provisions of sections 54-201 to  
1243 [54-233] 54-218, inclusive, as amended by this act, for personal injury  
1244 or death that resulted from the operation of a motor vehicle, water  
1245 vessel, snow mobile or all-terrain vehicle by another person who was  
1246 subsequently convicted with respect to such operation for a violation  
1247 of subsection (a) or subdivision (1) of subsection (b) of section 14-224,  
1248 section 14-227a or 14-227m, subdivision (1) or (2) of subsection (a) of  
1249 section 14-227n, [or section] subdivision (3) of section 14-386a or  
1250 section 15-132a, 15-140l, 15-140n, 53a-56b or 53a-60d. In the absence of  
1251 a conviction, the Office of Victim Services or, on review, a victim  
1252 compensation commissioner, may order payment of compensation  
1253 under this section if, upon consideration of all circumstances  
1254 determined to be relevant, the office or commissioner, as the case may  
1255 be, reasonably concludes that another person has operated a motor  
1256 vehicle in violation of subsection (a) or subdivision (1) of subsection (b)  
1257 of section 14-224, section 14-227a or 14-227m, subdivision (1) or (2) of  
1258 subsection (a) of section 14-227n, [or section] subdivision (3) of section  
1259 14-386a or section 15-132a, 15-140l, 15-140n, 53a-56b or 53a-60d.

1260 (c) Except as provided in subsection (b) of this section, no act  
1261 involving the operation of a motor vehicle which results in injury shall



1262 constitute a crime for the purposes of sections 54-201 to [54-233] 54-  
1263 218, inclusive, as amended by this act, unless the injuries were  
1264 intentionally inflicted through the use of the vehicle.

1265 (d) In instances where a violation of section 53-21, 53a-70, 53a-70a,  
1266 53a-70b, 53a-70c, 53a-71, 53a-72a, 53a-72b, [or] 53a-73a, 53a-82 or 53a-  
1267 192a has been alleged, the Office of Victim Services or, on review, a  
1268 victim compensation commissioner, may order compensation be paid  
1269 if (1) the personal injury has been disclosed to: (A) A physician or  
1270 surgeon licensed under chapter 370; (B) a resident physician or intern  
1271 in any hospital in this state, whether or not licensed; (C) a physician  
1272 assistant licensed under chapter 370; (D) an advanced practice  
1273 registered nurse, registered nurse or practical nurse licensed under  
1274 chapter 378; (E) a psychologist licensed under chapter 383; (F) a police  
1275 officer; (G) a mental health professional; (H) an emergency medical  
1276 services provider licensed or certified under chapter 368d; (I) an  
1277 alcohol and drug counselor licensed or certified under chapter 376b; (J)  
1278 a marital and family therapist licensed under chapter 383a; (K) a  
1279 domestic violence counselor or a sexual assault counselor, as defined  
1280 in section 52-146k; (L) a professional counselor licensed under chapter  
1281 383c; (M) a clinical social worker licensed under chapter 383b; [or] (N)  
1282 an employee of the Department of Children and Families; or (O) a  
1283 school principal, a school teacher or a school guidance counselor, and  
1284 (2) the office or commissioner, as the case may be, reasonably  
1285 concludes that a violation of any of said sections has occurred.

1286 (e) In instances where a violation of section 53-21, 53a-70, 53a-70a,  
1287 53a-70b, 53a-70c, 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-82, 53a-192a or  
1288 family violence, as defined in section 46b-38a, has been alleged, the  
1289 Office of Victim Services or, on review, a victim compensation  
1290 commissioner, may also order the payment of compensation under  
1291 sections 54-201 to 54-218, inclusive, as amended by this act, for  
1292 personal injury suffered by a victim (1) as reported in an application  
1293 for a restraining order under section 46b-15 or an application for a civil  
1294 protection order under section 46b-16a, as amended by this act, an  
1295 affidavit supporting an application under section 46b-15 or section

1296 46b-16a, as amended by this act, or on the record to the court, provided  
1297 such restraining order or civil protection order was granted in the  
1298 Superior Court following a hearing; or (2) as disclosed to a domestic  
1299 violence counselor or a sexual assault counselor, as such terms are  
1300 defined in section 52-146k.

1301 [(e)] (f) Evidence of an order for the payment of compensation by  
1302 the Office of Victim Services or a victim compensation commissioner in  
1303 accordance with the provisions of sections 54-201 to [54-233] 54-218,  
1304 inclusive, as amended by this act, shall not be admissible in any civil  
1305 proceeding to prove the liability of any person for such personal injury  
1306 or death or in any criminal proceeding to prove the guilt or innocence  
1307 of any person for any crime.

1308 Sec. 27. Section 54-210 of the general statutes is repealed and the  
1309 following is substituted in lieu thereof (*Effective October 1, 2017*):

1310 (a) The Office of Victim Services or a victim compensation  
1311 commissioner may order the payment of compensation under sections  
1312 54-201 to [54-233] 54-218, inclusive, as amended by this act, for: (1)  
1313 Expenses actually and reasonably incurred as a result of the personal  
1314 injury or death of the victim, provided coverage for the cost of medical  
1315 care and treatment of a crime victim who does not have medical  
1316 insurance or who has exhausted coverage under applicable health  
1317 insurance policies or Medicaid shall be ordered; (2) loss of earning  
1318 power as a result of total or partial incapacity of such victim; (3)  
1319 pecuniary loss to the spouse or dependents of the deceased victim,  
1320 provided the family qualifies for compensation as a result of murder or  
1321 manslaughter of the victim; (4) pecuniary loss to an injured victim or  
1322 the relatives or dependents of an injured victim or a deceased victim  
1323 for attendance at court proceedings with respect to the criminal case of  
1324 the person or persons charged with committing the crime that resulted  
1325 in the injury or death of the victim; [and] (5) loss of wages by any  
1326 parent or guardian of a deceased victim, provided the amount paid  
1327 under this subsection shall not exceed one week's net wage; and (6)  
1328 any other loss, except as set forth in section 54-211, as amended by this

1329 act, resulting from the personal injury or death of the victim which the  
1330 Office of Victim Services or a victim compensation commissioner, as  
1331 the case may be, determines to be reasonable.

1332 (b) Payment of compensation under sections 54-201 to [54-233] 54-  
1333 218, inclusive, as amended by this act, may be made to a person who is  
1334 a recipient of public assistance or state-administered general assistance  
1335 for necessary and reasonable expenses related to injuries resulting  
1336 from a crime and not provided for by the income assistance program  
1337 in which such person is a participant. Unless required by federal law,  
1338 no such payment shall be considered an asset for purposes of  
1339 eligibility for such assistance.

1340 Sec. 28. Section 54-211 of the general statutes is repealed and the  
1341 following is substituted in lieu thereof (*Effective October 1, 2017*):

1342 (a) (1) No order for the payment of compensation shall be made  
1343 under section 54-210, as amended by this act, unless (A) the  
1344 application has been made within two years after the date of the  
1345 personal injury or death, (B) the personal injury or death was the result  
1346 of an incident or offense listed in section 54-209, as amended by this  
1347 act, and (C) such incident or offense has been reported to the police  
1348 within five days of its occurrence or, if the incident or offense could  
1349 not reasonably have been reported within such period, within five  
1350 days of the time when a report could reasonably have been made,  
1351 except that a victim of a sexual assault shall not be ineligible for the  
1352 payment of compensation by reason of failing to make a report  
1353 pursuant to this subparagraph if such victim presented himself or  
1354 herself to a health care facility within [seventy-two] one hundred  
1355 twenty hours of such sexual assault for examination and collection of  
1356 evidence of such sexual assault in accordance with the provisions of  
1357 section 19a-112a, or if such victim complied with subsection (d) of  
1358 section 54-209, as amended by this act. (2) Notwithstanding the  
1359 provisions of subdivision (1) of this subsection, any person who,  
1360 before, on or after October 1, 2005, fails to make application for  
1361 compensation within two years after the date of the personal injury or

1362 death as a result of physical, emotional or psychological injuries  
1363 caused by such personal injury or death may apply for a waiver of  
1364 such time limitation. The Office of Victim Services, upon a finding of  
1365 such physical, emotional or psychological injury, may grant such  
1366 waiver. (3) Notwithstanding the provisions of subdivision (1) of this  
1367 subsection, any minor, including, but not limited to, a minor who is a  
1368 victim of conduct by another person that constitutes a violation of  
1369 section 53a-192a or a criminal violation of 18 USC Chapter 77, who,  
1370 before, on or after October 1, 2005, fails to make application for  
1371 compensation within two years after the date of the personal injury or  
1372 death through no fault of the minor, may apply for a waiver of such  
1373 time limitation. The Office of Victim Services, upon a finding that such  
1374 minor is not at fault, may grant such waiver. (4) Notwithstanding the  
1375 provisions of subdivision (1) of this subsection, a person who is a  
1376 dependent of a victim may make application for payment of  
1377 compensation not later than two years from the date that such person  
1378 discovers or in the exercise of reasonable care should have discovered  
1379 that the person upon whom the applicant was dependent was a victim.  
1380 [or ninety days after May 26, 2000, whichever is later.] Such person  
1381 shall file with such application a statement signed under penalty of  
1382 false statement setting forth the date when such person discovered that  
1383 the person upon whom the applicant was dependent was a victim and  
1384 the circumstances that prevented such person discovering that the  
1385 person upon whom the applicant was dependent was a victim until  
1386 more than two years after the date of the incident or offense. There  
1387 shall be a rebuttable presumption that a person who files such a  
1388 statement and is otherwise eligible for compensation pursuant to  
1389 sections 54-201 to [54-233] 54-218, inclusive, as amended by this act, is  
1390 entitled to compensation. (5) Any waiver denied by the Office of  
1391 Victim Services under this subsection may be reviewed by a victim  
1392 compensation commissioner, provided such request for review is  
1393 made by the applicant within thirty days from the mailing of the notice  
1394 of denial by the Office of Victim Services. If a victim compensation  
1395 commissioner grants such waiver, the commissioner shall refer the  
1396 application for compensation to the Office of Victim Services for a

1397 determination pursuant to section 54-205, as amended by this act. (6)  
1398 Notwithstanding the provisions of subdivision (1), (2) or (3) of this  
1399 subsection, the Office of Victim Services may, for good cause shown  
1400 and upon a finding of compelling equitable circumstances, waive the  
1401 time limitations of subdivision (1) of this subsection.

1402 (b) No compensation shall be awarded if: (1) The offender is  
1403 unjustly enriched by the award, provided compensation awarded to a  
1404 victim which would benefit the offender in a minimal or  
1405 inconsequential manner shall not be considered unjust enrichment; (2)  
1406 the victim violated a penal law of this state, which violation caused or  
1407 contributed to his injuries or death.

1408 (c) [No] Except as provided in subsection (d) of this section, no  
1409 compensation shall be awarded for losses sustained for crimes against  
1410 property or for noneconomic detriment such as pain and suffering.

1411 (d) (1) No compensation shall be in an amount in excess of fifteen  
1412 thousand dollars for personal injury except that: [compensation] (A)  
1413 Compensation to or for the benefit of the dependents of a homicide  
1414 victim shall be in an amount not to exceed twenty-five thousand  
1415 dollars; [. The] (B) the claims of the dependents of a deceased victim, as  
1416 provided in section 54-208, as amended by this act, shall be considered  
1417 derivative of the claim of such victim and the total compensation paid  
1418 for all claims arising from the death of such victim shall not exceed a  
1419 maximum of twenty-five thousand dollars; and (C) in cases of  
1420 emotional harm only, compensation for medical and mental health  
1421 care shall be in an amount not to exceed five thousand dollars.

1422 (2) Notwithstanding the provisions of subdivision (1) of this  
1423 subsection, the Office of Victim Services or a victim compensation  
1424 commissioner may award additional compensation in an amount not  
1425 to exceed five thousand dollars above the maximum amounts set forth  
1426 in said subdivision to a personal injury victim, who is a minor at the  
1427 time the application for compensation or restitution services is filed,  
1428 when such victim has additional medical needs or mental health

1429 counseling needs.

1430 [(2)] (3) Notwithstanding the provisions of subdivision (1) of this  
1431 subsection, the Office of Victim Services or a victim compensation  
1432 commissioner may, for good cause shown and upon a finding of  
1433 compelling equitable circumstances, award compensation in an  
1434 amount in excess of the maximum amounts set forth in said  
1435 subdivision.

1436 (e) Orders for payment of compensation pursuant to sections 54-201  
1437 to [54-233] 54-218, inclusive, as amended by this act, may be made only  
1438 as to injuries or death resulting from incidents or offenses arising on  
1439 and after January 1, 1979, except that orders for payment of  
1440 compensation pursuant to subsection (b) of section 54-209, as amended  
1441 by this act, may be made only as to injuries or death resulting from  
1442 incidents or offenses arising on and after July 1, 1985.

1443 (f) Compensation shall be awarded pursuant to sections 54-201 to  
1444 [54-233] 54-218, inclusive, as amended by this act, for [bodily] personal  
1445 injury or death resulting from a crime which occurs (1) within this  
1446 state, regardless of the residency of the applicant; (2) outside this state  
1447 but within the territorial boundaries of the United States, provided the  
1448 victim, at the time of injury or death, was a resident of this state and  
1449 the state in which such crime occurred does not have a program for  
1450 compensation of victims for which such victim is eligible; [and] (3)  
1451 outside the territorial boundaries of the United States, provided the  
1452 victim was a resident of this state at the time of injury or death, the  
1453 crime would be considered a crime within the State of Connecticut,  
1454 and the country in which such crime occurred does not have a  
1455 program for compensation of victims for which such victim is eligible;  
1456 and (4) outside the territorial boundaries of the United States,  
1457 provided the applicant is a victim of international terrorism, as defined  
1458 in Section 2331 of Title 18 of the United States Code, and was a resident  
1459 of this state at the time of injury or death.

1460 Sec. 29. Section 54-211a of the general statutes is repealed and the

1461 following is substituted in lieu thereof (*Effective October 1, 2017*):

1462 Any applicant aggrieved by an order or decision of a victim  
1463 compensation commissioner may appeal by way of a demand for a  
1464 trial de novo to the superior court for the judicial district of Hartford.  
1465 The appeal shall be [taken within] filed not later than thirty days after  
1466 [mailing of the order or decision, or if there is no mailing, within thirty  
1467 days after personal delivery of such order or decision] the date on  
1468 which an order or decision is sent to the applicant by first class mail or  
1469 electronic mail. Delivery by electronic mail is complete upon sending  
1470 the electronic notice of the order or decision unless the sender of such  
1471 electronic mail learns that the attempted delivery did not reach the  
1472 electronic mail address of the intended recipient.

1473 Sec. 30. Section 54-212 of the general statutes is repealed and the  
1474 following is substituted in lieu thereof (*Effective October 1, 2017*):

1475 (a) Whenever an order for the payment of compensation for  
1476 personal injury or death or for the provision of [restitution]  
1477 compensation services is or has been made under sections 54-201 to  
1478 [54-233] 54-218, inclusive, as amended by this act, the Office of Victim  
1479 Services shall, upon payment of the amount of the order or the  
1480 provision of such services, be subrogated to the cause of action of the  
1481 applicant against the person or persons responsible for such injury or  
1482 death. The Attorney General, on behalf of the Office of Victim Services,  
1483 shall be entitled to bring an action and, if the Attorney General  
1484 declines to do so, the office may hire a private attorney to bring an  
1485 action against such person or persons and to recover, whether by  
1486 judgment, settlement or compromise settlement before or after  
1487 judgment, the amount of damages sustained by the applicant and shall  
1488 furnish the applicant with a copy of the action taken within thirty days  
1489 of the filing of such action. If an amount greater than two-thirds of that  
1490 paid pursuant to any such order is recovered and collected in any such  
1491 action, whether by judgment, settlement or compromise settlement  
1492 before or after judgment, the state shall pay the balance exceeding two-  
1493 thirds of the amount paid pursuant to such order to the applicant less

1494 any costs and expenses incurred therefor.

1495 (b) If the applicant brings an action against the person or persons  
1496 responsible for such injury or death to recover damages arising out of  
1497 the crime for which an award has been granted, or, if the applicant  
1498 recovers money from any other source or sources including, but not  
1499 limited to, payments from state or municipal agencies, insurance  
1500 benefits or workers' compensation awards as a result of the incident or  
1501 offense giving rise to the application, the Office of Victim Services shall  
1502 have a lien on the applicant's recovery for the amount to which the  
1503 office is entitled to reimbursement. If an action is brought by the  
1504 applicant against the person or persons responsible for the injury or  
1505 death, the applicant shall notify the Office of Victim Services of the  
1506 filing of such complaint within thirty days of the filing of the  
1507 complaint in court. Whenever an applicant recovers damages, whether  
1508 by judgment, settlement or compromise settlement before or after  
1509 judgment, from the person or persons responsible for such injury, and  
1510 whenever an applicant recovers money from any other source or  
1511 sources including, but not limited to, payments from state or  
1512 municipal agencies, insurance benefits or workers' compensation  
1513 awards as a result of the incident or offense giving rise to the  
1514 application, the Office of Victim Services is entitled to reimbursement  
1515 from the applicant for two-thirds of the amount paid pursuant to any  
1516 order for the payment of compensation for personal injury or death,  
1517 [or for the provision of restitution services.]

1518 (c) Notwithstanding the provisions of subsection (a) of this section,  
1519 if the Office of Victim Services finds that enforcement of its  
1520 subrogation rights would cause undue harm to the applicant, the office  
1521 may abrogate such rights. Notwithstanding the provisions of  
1522 subsection (b) of this section, if the Office of Victim Services finds that  
1523 enforcement of its lien rights would cause undue harm to the  
1524 applicant, the office may abrogate such rights. "Undue harm" includes,  
1525 but is not limited to, considerations of victim safety and recovery by  
1526 the applicant of an amount that is less than the applicant's  
1527 compensable economic losses.



1528 Sec. 31. Section 54-213 of the general statutes is repealed and the  
1529 following is substituted in lieu thereof (*Effective October 1, 2017*):

1530 No award made pursuant to sections 54-201 to [54-233] 54-218,  
1531 inclusive, as amended by this act, shall be subject to execution or  
1532 attachment other than for expenses resulting from the injury which is  
1533 the basis for the claim.

1534 Sec. 32. Section 54-215 of the general statutes is repealed and the  
1535 following is substituted in lieu thereof (*Effective October 1, 2017*):

1536 (a) The Office of Victim Services shall establish a Criminal Injuries  
1537 Compensation Fund for the purpose of funding the compensation [and  
1538 restitution] services provided for by sections 54-201 to [54-233] 54-218,  
1539 inclusive, as amended by this act. The fund may contain any moneys  
1540 required by law to be deposited in the fund and shall be held by the  
1541 Treasurer separate and apart from all other moneys, funds and  
1542 accounts. The interest derived from the investment of the fund shall be  
1543 credited to the fund. Amounts in the fund may be expended only  
1544 pursuant to appropriation by the General Assembly, except that any  
1545 recovery from the person or persons responsible for the injury or death  
1546 or any reimbursement from the applicant received by the Office of  
1547 Victim Services pursuant to section 54-212, as amended by this act, and  
1548 deposited in the fund may be expended in the subsequent fiscal year.  
1549 Any balance remaining in the fund at the end of any fiscal year shall be  
1550 carried forward in the fund for the fiscal year next succeeding.

1551 (b) The cost paid into court under section 54-143 shall be deposited  
1552 in the General Fund and shall be credited to and become a part of the  
1553 Criminal Injuries Compensation Fund. Any restitution collected by the  
1554 Court Support Services Division pursuant to section 46b-140, 53a-30, as  
1555 amended by this act, or 54-56e which is not disbursed within five years  
1556 after the date such restitution is collected, because the victim could not  
1557 be located, shall be deposited in the Criminal Injuries Compensation  
1558 Fund. Any restitution collected pursuant to section 46b-140 or 54-56e  
1559 on or before May 8, 1997, that has not been disbursed as of October 1,

2003, shall be deposited in the fund. If payment is awarded under section 54-210, as amended by this act, and thereafter the court orders the defendant in the criminal case from which such injury or death resulted to make restitution, any money collected as restitution shall be paid to the fund unless the court directs otherwise. The Office of Victim Services may apply for and receive moneys for the fund from any federal, state or private source.

(c) Any administrative costs related to the operation of the Criminal Injuries Compensation Fund, including credits to and payments of compensation therefrom, shall be paid from the fund. Administrative costs of providing direct services, the proportionate share of any fixed costs associated with such services, the costs of providing direct services to victims and witnesses of crimes in accordance with subdivision [(6)] (5) of subsection (b) of section 54-203, as amended by this act, and any services offered by the Office of Victim Services to witnesses and victims of crime may be budgeted for payment from the fund.

Sec. 33. Section 54-216 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) The Office of Victim Services or, on review, a victim compensation commissioner may order [that] payment for services [be provided for the restitution of] to any person determined to be eligible for such services in accordance with the provisions of sections 54-201 to [54-233] 54-218, inclusive, as amended by this act. Such services may include, but shall not be limited to, medical, psychiatric, psychological and social services and social rehabilitation services.

(b) The Office of Victim Services or, on review, a victim compensation commissioner, may order that such [restitution] services be provided to victims of child abuse and members of their families, victims of sexual assault and members of their families, victims of domestic violence and members of their families, members of the family of any victim of homicide, and children who witness domestic

1592 violence, including, but not limited to, children who are not related to  
1593 the victim. For the purposes of this subsection, "members of their  
1594 families" or "member of the family" does not include the person  
1595 responsible for such child abuse, sexual assault, domestic violence or  
1596 homicide.

1597 (c) The Office of Victim Services may contract with any public or  
1598 private agency for any services ordered under this section.

1599 Sec. 34. Section 54-217 of the general statutes is repealed and the  
1600 following is substituted in lieu thereof (*Effective October 1, 2017*):

1601 Notwithstanding the provisions of sections 54-204, as amended by  
1602 this act, and 54-205, as amended by this act, if [it appears to the Office  
1603 of Victim Services, prior to taking action upon a claim and] based upon  
1604 a review of all information [then] available, [to] the Office of Victim  
1605 Services [, that such] determines that a claim is one with respect to  
1606 which [an award probably will be made and] undue hardship will  
1607 result to the claimant if payment is not expedited, the Office of Victim  
1608 Services may [make an emergency award to the claimant pending a  
1609 final determination on the claimant's application, provided (1) the  
1610 amount of such emergency award shall not exceed two thousand  
1611 dollars, (2) the amount of such emergency award shall be deducted  
1612 from any final award made to the claimant, and (3) the excess of the  
1613 amount of such emergency award over the final award, or the full  
1614 amount of the emergency award if no final award is made, shall be  
1615 repaid by the claimant to the Office of Victim Services] expedite the  
1616 processing of such claim.

1617 Sec. 35. Section 54-220 of the general statutes is repealed and the  
1618 following is substituted in lieu thereof (*Effective October 1, 2017*):

1619 (a) Victim advocates shall have the following responsibilities and  
1620 duties: (1) To provide initial screening of each personal injury case; (2)  
1621 to assist victims in the preparation of victim impact statements; [to be  
1622 placed in court files;] (3) to notify victims of their rights and request  
1623 that each victim so notified attest to the fact of such notification of

1624 rights on a form developed by the Office of the Chief Court  
1625 Administrator, which form shall be signed by the victim advocate and  
1626 the victim and be placed in court files and a copy of which form shall  
1627 be provided to the victim; (4) to provide information and advice to  
1628 victims in order to assist such victims in exercising their rights  
1629 throughout the criminal justice process; (5) to direct victims to public  
1630 and private agencies for service; (6) to coordinate victim applications  
1631 to the Office of Victim Services; and (7) to assist victims in the  
1632 processing of claims for restitution.

1633 (b) Notwithstanding any provision of the general statutes, upon  
1634 request, a victim advocate shall be provided with a copy of any police  
1635 report in the possession of the Office of the Chief State's Attorney, the  
1636 Division of State Police within the Department of Emergency Services  
1637 and Public Protection, any municipal police department or any other  
1638 law enforcement agency that the victim advocate requires to perform  
1639 the responsibilities and duties set forth in subsection (a) of this section.

1640 [(b)] (c) Within available appropriations, the Office of Victim  
1641 Services may contract with any public or private agency for victim  
1642 advocate services in geographical area courts.

1643 Sec. 36. Section 54-230 of the general statutes is repealed and the  
1644 following is substituted in lieu thereof (*Effective October 1, 2017*):

1645 (a) Upon receipt of notice from an inmate pursuant to section 54-  
1646 227, the Office of Victim Services shall notify by [certified] mail all  
1647 persons who have requested to be notified pursuant to subsection (a)  
1648 of section 54-228 and section 54-229 whenever such inmate makes  
1649 application for release or sentence reduction or review. Such notice  
1650 shall be in writing and notify each person of the nature of the release  
1651 or sentence reduction or review being applied for, the address and  
1652 telephone number of the board or agency to which the application by  
1653 the inmate was made, and the date and place of the hearing or session,  
1654 if any, scheduled on the application.

1655 (b) Upon receipt of notice from a person pursuant to subsection (b)

1656 of section 54-227, the Office of Victim Services shall notify by [certified]  
1657 mail all persons who have requested to be notified pursuant to  
1658 subsection (b) of section 54-228 whenever such person files an  
1659 application with the court to be exempted from the registration  
1660 requirements of section 54-251 pursuant to subsections (b) or (c) of said  
1661 section or files a petition with the court pursuant to section 54-255 for  
1662 an order restricting the dissemination of the registration information,  
1663 or removing such restriction. Such notice shall be in writing and notify  
1664 each person of the nature of the exemption or of the restriction or  
1665 removal of the restriction being applied for, the address and telephone  
1666 number of the court to which the application or petition by the person  
1667 was made, and the date and place of the hearing or session, if any,  
1668 scheduled on the application or petition.

1669 (c) Upon compliance with the notification requirements of this  
1670 section, the Office of Victim Services shall notify, on a form prescribed  
1671 by the Office of the Chief Court Administrator, the board, agency or  
1672 court to which the application or petition was made of such  
1673 compliance.

1674 (d) Upon receipt of notice from the Department of Correction  
1675 pursuant to section 54-231, the Office of Victim Services shall notify by  
1676 [certified] mail all victims who have requested to be notified pursuant  
1677 to section 54-228 whenever such inmate is scheduled to be released  
1678 from a correctional institution. Such notice shall be in writing and  
1679 notify each victim of the date of such inmate's release. The victim shall  
1680 notify the Office of Victim Services of his or her current mailing  
1681 address and telephone number, which shall be kept confidential and  
1682 shall not be disclosed by the Office of Victim Services. Nothing in this  
1683 section shall be construed to prohibit the Office of Victim Services, the  
1684 Board of Pardons and Paroles and the Victim Services Unit within the  
1685 Department of Correction from communicating with each other for the  
1686 purpose of facilitating notification to a victim and disclosing to each  
1687 other the name, mailing address and telephone number of the victim,  
1688 provided such information shall not be further disclosed.

1689 Sec. 37. Section 54-230a of the general statutes is repealed and the  
1690 following is substituted in lieu thereof (*Effective October 1, 2017*):

1691 (a) Upon receipt of notice from an inmate pursuant to section 54-  
1692 227, the Victim Services Unit within the Department of Correction shall  
1693 notify by [certified] mail all persons who have requested to be notified  
1694 pursuant to subsection (a) of section 54-228 and section 54-229  
1695 whenever such inmate makes application for release or sentence  
1696 reduction or review. Such notice shall be in writing and notify each  
1697 person of the nature of the release or sentence reduction or review  
1698 being applied for, the address and telephone number of the board or  
1699 agency to which the application by the inmate was made, and the date  
1700 and place of the hearing or session, if any, scheduled on the  
1701 application.

1702 (b) Upon receipt of notice from a person pursuant to subsection (b)  
1703 of section 54-227, the Victim Services Unit within the Department of  
1704 Correction shall notify by [certified] mail all persons who have  
1705 requested to be notified pursuant to subsection (b) of section 54-228  
1706 whenever such person files an application with the court to be  
1707 exempted from the registration requirements of section 54-251  
1708 pursuant to subsections (b) or (c) of said section or files a petition with  
1709 the court pursuant to section 54-255 for an order restricting the  
1710 dissemination of the registration information, or removing such  
1711 restriction. Such notice shall be in writing and notify each person of the  
1712 nature of the exemption or of the restriction or the removal of the  
1713 restriction being applied for, the address and telephone number of the  
1714 court to which the application or petition by the person was made, and  
1715 the date and place of the hearing or session, if any, scheduled on the  
1716 application or petition.

1717 (c) Upon compliance with the notification requirements of this  
1718 section, the Victim Services Unit within the Department of Correction  
1719 shall notify, on a form prescribed by the Office of the Chief Court  
1720 Administrator, the board, agency or court to which the application or  
1721 petition was made of such compliance.

1722 Sec. 38. (NEW) (*Effective October 1, 2017*) If at any point in the debt  
1723 collection process, whether before or after the entry of judgment, a  
1724 health care provider, a consumer collection agency acting on behalf of  
1725 a health care provider, an attorney representing a health care provider  
1726 or an employee or agent of a health care provider, becomes aware and  
1727 receives notice from the Office of Victim Services that a debtor from  
1728 whom payment is sought has a pending claim under sections 54-201 to  
1729 54-218, inclusive, of the general statutes, as amended by this act,  
1730 relating to the treatment that resulted in the debt, such health care  
1731 provider, consumer collection agency, attorney, employee or agent,  
1732 shall promptly discontinue any collection efforts until (1) an award is  
1733 made on such claim, (2) the claim is approved without payment, or (3)  
1734 the claim is determined to be noncompensable pursuant to section 54-  
1735 208 of the general statutes, as amended by this act. Any applicable  
1736 statute of limitations for the collection of such debt shall be tolled  
1737 during the period for which the suspension of debt collection is  
1738 required pursuant to this section. For the purposes of this section  
1739 "health care provider" has the same meaning as "provider" under  
1740 section 20-7b of the general statutes, and includes an institution, as  
1741 defined in section 19a-490 of the general statutes, and any health care  
1742 institution or facility operated by the state.

1743 Sec. 39. Subsection (a) of section 54-56p of the general statutes is  
1744 repealed and the following is substituted in lieu thereof (*Effective*  
1745 *October 1, 2017*):

1746 (a) The court may, in its discretion, invoke a program on motion of a  
1747 defendant or on motion of a state's attorney or prosecuting attorney  
1748 with respect to a defendant who (1) [is] was under twenty-one years of  
1749 age at the time of the offense, (2) is charged with a motor vehicle  
1750 violation, or a violation of section 30-88a, subsection (a) or (b) of  
1751 section 30-89 or section 30-89a, and (3) has not previously had such  
1752 program invoked in such person's behalf.

1753 Sec. 40. Section 53a-46d of the general statutes is repealed and the  
1754 following is substituted in lieu thereof (*Effective October 1, 2017*):

1755 A victim impact statement prepared with the assistance of a victim  
1756 advocate [to be placed in court files] in accordance with subdivision (2)  
1757 of subsection (a) of section 54-220, as amended by this act, may be read  
1758 in court prior to imposition of sentence upon a defendant found guilty  
1759 of a crime punishable by death or life imprisonment without the  
1760 possibility of release.

1761 Sec. 41. Subsection (a) of section 46b-133g of the general statutes is  
1762 repealed and the following is substituted in lieu thereof (*Effective*  
1763 *October 1, 2017*):

1764 (a) Not later than January 1, 2017, the Court Support Services  
1765 Division of the Judicial Department shall develop and implement a  
1766 detention risk assessment instrument to be used to determine, based  
1767 on the risk level, whether there is: (1) Probable cause to believe that a  
1768 child will pose a risk to public safety if released to the community  
1769 prior to the court hearing or disposition, or (2) a need to hold the child  
1770 in order to ensure the child's appearance before the court, as  
1771 demonstrated by the child's previous failure to respond to the court  
1772 process. Such instrument shall be used when assessing whether a child  
1773 should be detained pursuant to section 46b-133. Any detention  
1774 screening shall be subject to the protections of subsection [(l)] (k) of  
1775 section 46b-124, as amended by this act.

1776 Sec. 42. Subsection (b) of section 19a-112f of the general statutes is  
1777 repealed and the following is substituted in lieu thereof (*Effective*  
1778 *October 1, 2017*):

1779 (b) The committee shall advise the Office of Victim Services on the  
1780 establishment and implementation of the sexual assault forensic  
1781 examiners program pursuant to subdivision [(17)] (14) of subsection  
1782 (b) of section 54-203, as amended by this act, and section 19a-112g. The  
1783 committee shall make specific recommendations concerning: (1) The  
1784 recruitment of registered nurses, advanced practice registered nurses  
1785 and physicians to participate in such program; (2) the development of  
1786 a specialized training course concerning such program for registered



1787 nurses, advanced practice registered nurses and physicians who  
1788 participate in the program; (3) the development of agreements between  
1789 the Judicial Branch, the Department of Public Health and acute care  
1790 hospitals relating to the scope of services offered under the program  
1791 and hospital standards governing the provision of such services; (4)  
1792 individual case tracking mechanisms; (5) utilization of medically  
1793 accepted best practices; and (6) the development of quality assurance  
1794 measures.

1795 Sec. 43. Subsection (a) of section 54-202 of the general statutes is  
1796 repealed and the following is substituted in lieu thereof (*Effective*  
1797 *October 1, 2017*):

1798 (a) On or before July 1, 1993, the Governor shall appoint five victim  
1799 compensation commissioners for a term of four years to conduct  
1800 hearings and make determinations as provided in sections 54-201 to  
1801 [54-233] 54-218, inclusive, as amended by this act. To be eligible for  
1802 appointment, a victim compensation commissioner shall have been  
1803 admitted to the practice of law in this state for at least five years prior  
1804 to the appointment.

1805 Sec. 44. Section 54-205 of the general statutes is repealed and the  
1806 following is substituted in lieu thereof (*Effective October 1, 2017*):

1807 (a) Upon application made under the provisions of sections 54-201  
1808 to [54-233] 54-218, inclusive, as amended by this act, the Office of  
1809 Victim Services shall evaluate such application, make an appropriate  
1810 determination in writing, and provide notice to the applicant of such  
1811 determination. In order to make a determination on an application, the  
1812 Office of Victim Services may administer oaths or affirmations, may  
1813 subpoena any witness to appear or may issue a subpoena duces tecum,  
1814 provided no subpoena shall be issued except under the signature of a  
1815 victim compensation commissioner. Any application to any court for  
1816 aid in enforcing such subpoena may be made in the name of the Office  
1817 of Victim Services only by a victim compensation commissioner.  
1818 Subpoenas shall be served by any person designated by a victim

1819 compensation commissioner.

1820 (b) An applicant may request that a determination made pursuant  
1821 to subsection (a) of this section be reviewed by a victim compensation  
1822 commissioner by filing a request for review with the Office of Victim  
1823 Services, on a form prescribed by the Office of the Chief Court  
1824 Administrator, within thirty days from mailing of the notice of such  
1825 determination.

1826 (c) For the purposes of carrying out the provisions of sections 54-201  
1827 to [54-233] 54-218, inclusive, as amended by this act, a victim  
1828 compensation commissioner shall hear any request for review filed by  
1829 an applicant pursuant to sections 54-201 to [54-233] 54-218, inclusive,  
1830 as amended by this act, to which such commissioner is assigned and  
1831 shall make a written determination on such application for  
1832 compensation. A victim compensation commissioner shall hold such  
1833 hearings and take such testimony as such commissioner may deem  
1834 advisable. A commissioner may administer oaths or affirmations to  
1835 witnesses and shall have full power to subpoena any witness to appear  
1836 and give testimony or to issue a subpoena duces tecum. Subpoenas  
1837 shall be served by any person designated by a victim compensation  
1838 commissioner.

1839 (d) No witness under subpoena authorized to be issued by the  
1840 provisions of this section shall be excused from testifying or from  
1841 producing records, papers or documents. If any person disobeys such  
1842 process or, having appeared in obedience thereto, refuses to answer  
1843 any pertinent question put to him by the victim compensation  
1844 commissioner or to produce any records, papers or documents and  
1845 appears pursuant thereto, said commissioner may apply to the  
1846 superior court for the judicial district of Hartford, setting forth such  
1847 disobedience to process or refusal to answer. The court shall cite such  
1848 person to appear before said court to answer such question or to  
1849 produce such records, papers or documents or to show cause why a  
1850 question put to him should not be answered or why such records,  
1851 papers or documents should not be produced. Upon such person's

1852 refusal to answer or produce records, papers or documents or to show  
1853 cause, the court may commit such person to a community correctional  
1854 center until such person complies, but not for a longer period than  
1855 sixty days. Notwithstanding any such commitment of such person, the  
1856 victim compensation commissioner may proceed with the hearing as if  
1857 such witness had testified adversely regarding his interest in the  
1858 proceeding.

1859 (e) The applicant and any other person having a substantial interest  
1860 in a proceeding may appear before the victim compensation  
1861 commissioner and be heard, produce evidence and cross-examine  
1862 witnesses in person or by his attorney. The victim compensation  
1863 commissioner also may hear such other persons as in the  
1864 commissioner's judgment may have relevant evidence to submit.

1865 (f) Any statement, document, information or matter may be  
1866 considered by the Office of Victim Services or, on review, by a victim  
1867 compensation commissioner, if in the opinion of said office or  
1868 commissioner, it contributes to a determination of the claim, whether  
1869 or not the same would be admissible in a court of law.

1870 (g) If any person has been convicted of any offense with respect to  
1871 an act on which a claim under sections 54-201 to [54-233] 54-218,  
1872 inclusive, as amended by this act, is based, proof of that conviction  
1873 shall be taken as conclusive evidence that the offense has been  
1874 committed by such person, unless an appeal or any proceeding with  
1875 regard thereto is pending.

1876 Sec. 45. Section 54-207a of the general statutes is repealed and the  
1877 following is substituted in lieu thereof (*Effective October 1, 2017*):

1878 The Office of the Chief Court Administrator shall prescribe such  
1879 policies and procedures, as deemed necessary, to implement the  
1880 provisions of sections 54-201 to [54-233] 54-235, inclusive, as amended  
1881 by this act, and may formulate standards for the uniform application  
1882 of the payment of compensation of claims.

1883       Sec. 46. (NEW) (*Effective January 1, 2018*) (a) A person is guilty of  
1884       filing a false record against real or personal property when with intent  
1885       to defraud, deceive, injure or harass another, he or she files, or causes  
1886       to be filed with a municipality, a record he or she knows, or reasonably  
1887       should know, is false. As used in this section, "record" means  
1888       information that is inscribed on a tangible medium or that is stored in  
1889       an electronic or other medium and is retrievable in perceivable form,  
1890       and includes any record that is recorded in the office of the town clerk.

1891       (b) A person is guilty of filing a false record under sections 42a-9-  
1892       501 to 42a-9-526, inclusive, of the general statutes, when with intent to  
1893       defraud, deceive, injure or harass another, he or she files, or causes to  
1894       be filed with the Secretary of the State or a municipality, a record he or  
1895       she knows, or reasonably should know, is false.

1896       (c) Filing of a false record is a class D felony.

1897       Sec. 47. Section 42a-9-518 of the general statutes is repealed and the  
1898       following is substituted in lieu thereof (*Effective January 1, 2018*):

1899       (a) A person may file in the filing office an information statement  
1900       with respect to a record indexed there under the person's name if the  
1901       person believes that the record is inaccurate or was wrongfully filed.

1902       (b) An information statement under subsection (a) of this section  
1903       must:

1904       (1) Identify the record to which it relates by:

1905       (A) The file number assigned to the initial financing statement to  
1906       which the record relates; or

1907       (B) If the information statement relates to a record recorded in a  
1908       filing office described in subdivision (1) of subsection (a) of section  
1909       42a-9-501, the book and page number on which or the date and time  
1910       that the initial financing statement was recorded;

1911       (2) Indicate that it is an information statement; and

1912 (3) Provide the basis for the person's belief that the record is  
1913 inaccurate and indicate the manner in which the person believes the  
1914 record should be amended to cure any inaccuracy or provide the basis  
1915 for the person's belief that the record was wrongfully filed.

1916 (c) A person may file in the filing office an information statement  
1917 with respect to a record filed there if the person is a secured party of  
1918 record with respect to the financing statement to which the record  
1919 relates and believes that the person that filed the record was not  
1920 entitled to do so under subsection (d) of section 42a-9-509.

1921 (d) An information statement under subsection (c) of this section  
1922 must:

1923 (1) Identify the record to which it relates by:

1924 (A) The file number assigned to the initial financing statement to  
1925 which the record relates; or

1926 (B) If the information statement relates to a record recorded in a  
1927 filing office described in subdivision (1) of subsection (a) of section  
1928 42a-9-501, the book and page number on which or the date and time  
1929 that the initial financing statement was recorded;

1930 (2) Indicate that it is an information statement; and

1931 (3) Provide the basis for the person's belief that the person that filed  
1932 the record was not entitled to do so under subsection (d) of section  
1933 42a-9-509.

1934 (e) The filing of an information statement does not affect the  
1935 effectiveness of an initial financing statement or other filed record.

1936 (f) (1) A person identified in any record filed pursuant to sections  
1937 42a-9-501 to 42a-9-526, inclusive, may petition the Tax and  
1938 Administrative Appeals Session of the Superior Court to invalidate a  
1939 record, when such record was falsely filed or amended. The court shall  
1940 review such petition and determine whether cause exists to doubt the

1941 validity of such record. Upon a determination that such cause exists,  
1942 the court shall, not later than sixty days after the date of such  
1943 determination, hold a hearing to determine whether to invalidate such  
1944 record or grant any other relief deemed appropriate by the court.  
1945 There shall be no fee to petition for a hearing under this section. The  
1946 person petitioning the court to invalidate a record shall send a copy of  
1947 the petition to all parties named in such record.

1948 (2) A person who files a petition under subdivision (1) of this  
1949 subsection shall include, as part of such petition, a certified copy of the  
1950 record that such person seeks to invalidate.

1951 (3) In determining whether cause exists to doubt the validity of a  
1952 record under subdivision (1) of this subsection, the court may consider  
1953 factors that include, but are not limited to, whether (A) the record is  
1954 related to a valid existing commercial or financial transaction, or a  
1955 potential commercial or financial transaction, or a judgment of a court  
1956 of competent jurisdiction; (B) the same individual is named as both  
1957 debtor and creditor; (C) an individual is named as a transmitting  
1958 utility; and (D) the record has been filed with the intent to defraud,  
1959 deceive, injure or harass a person, business or governmental entity.

1960 (4) If the court determines after a hearing that a record identified in  
1961 a petition filed pursuant to subdivision (1) of this subsection is not  
1962 valid, the court shall render a judgment that such record is void in its  
1963 entirety and shall direct the custodian of such record, when feasible, to  
1964 note that such record is not valid. The court may grant such other relief  
1965 as it deems appropriate. The petitioner under subdivision (1) of this  
1966 subsection shall provide a copy of the petition and the judgment of the  
1967 court granting such petition to the custodian of the record adjudged  
1968 invalid by the court.

1969 Sec. 48. (NEW) (*Effective January 1, 2018*) (a) A person, as defined in  
1970 section 42a-1-201 of the general statutes, who has been identified in a  
1971 filing pursuant to chapters 821 to 822, inclusive, of the general statutes,  
1972 may petition the Tax and Administrative Appeals Session of the

1973 Superior Court to invalidate such filing, or any amendment thereof,  
1974 when such filing was falsely filed or amended. The court shall review  
1975 such petition and determine whether cause exists to doubt the validity  
1976 of such filing or amendment. Upon a determination that such cause  
1977 exists, the court shall, not later than sixty days after the date of such  
1978 determination, hold a hearing to determine whether to invalidate such  
1979 filing or amendment or grant any other relief deemed appropriate by  
1980 the court. There shall be no fee to petition for a hearing under this  
1981 section. The person petitioning the court to invalidate a filing shall  
1982 send a copy of such petition to all parties named in such filing.

1983 (b) A person who files a petition under subsection (a) of this section  
1984 shall include, as part of such petition, a certified copy of the filing, and  
1985 any amendment thereof, that such person seeks to invalidate.

1986 (c) In determining whether cause exists to doubt the validity of a  
1987 filing or amendment under subsection (a) of this section, the court may  
1988 consider factors that include, but are not limited to, whether (1) the  
1989 filing or amendment is related to a valid existing commercial, financial  
1990 or real estate transaction, or a potential commercial, financial or real  
1991 estate transaction, or a judgment of a court of competent jurisdiction;  
1992 (2) the same individual is named as both debtor and creditor; (3) an  
1993 individual is named as a transmitting utility; and (4) the filing or  
1994 amendment has been filed with the intent to defraud, deceive, injure or  
1995 harass a person, business or governmental entity.

1996 (d) If the court determines after a hearing that a filing identified in a  
1997 petition filed pursuant to subsection (a) of this section is not valid, the  
1998 court shall render a judgment that such filing is void in its entirety and  
1999 shall direct the custodian of such filing, when feasible, to note that  
2000 such filing is not valid. The court may grant such other relief as it  
2001 deems appropriate. The petitioner under subsection (a) of this section  
2002 shall provide a copy of the petition and the judgment of the court  
2003 granting such petition to the custodian of the filing adjudged invalid  
2004 by the court.

2005       Sec. 49. Subsection (a) of section 52-259 of the general statutes is  
2006 repealed and the following is substituted in lieu thereof (*Effective*  
2007 *January 1, 2018*):

2008       (a) There shall be paid to the clerks for entering each appeal or writ  
2009 of error to the Supreme Court, or entering each appeal to the Appellate  
2010 Court, as the case may be, two hundred fifty dollars, and for each civil  
2011 cause in the Superior Court, three hundred sixty dollars, except (1) two  
2012 hundred thirty dollars for entering each case in the Superior Court in  
2013 which the sole claim for relief is damages and the amount, legal  
2014 interest or property in demand is less than two thousand five hundred  
2015 dollars; (2) one hundred seventy-five dollars for summary process and  
2016 landlord and tenant actions; [and] (3) there shall be no entry fee for  
2017 making an application to the Superior Court for relief under section  
2018 46b-15 or 46b-16a, as amended by this act, or for making an application  
2019 to modify or extend an order issued pursuant to section 46b-15 or 46b-  
2020 16a, as amended by this act; and (4) there shall be no entry fee for a  
2021 petition brought under subsection (f) of section 42a-9-518, as amended  
2022 by this act, and section 48 of this act. If the amount, legal interest or  
2023 property in demand by the plaintiff is alleged to be less than two  
2024 thousand five hundred dollars, a new entry fee of seventy-five dollars  
2025 shall be charged if the plaintiff amends his or her complaint to state  
2026 that such demand is not less than two thousand five hundred dollars.

2027       Sec. 50. Section 47-36bb of the general statutes is repealed and the  
2028 following is substituted in lieu thereof (*Effective October 1, 2017*):

2029       [Any conveyance of an interest in land to a trust rather than the  
2030 trustee or trustees of the trust shall constitute a valid and enforceable  
2031 transfer of that interest. Any conveyance by the trust, which  
2032 conveyance is signed by a duly authorized trustee of such trust, shall  
2033 be treated as if the conveyance was made by the trustee.]

2034       (a) Any transfer of an interest in real property to a trust, rather than  
2035 to the trustee or trustees of the trust, shall constitute a valid and  
2036 enforceable transfer of such interest.



2037        (b) Any subsequent transfer of such interest in real property, or any  
 2038        portion or part thereof (1) made by the trust and executed by a duly  
 2039        authorized trustee of the trust, shall be treated as if the transfer was  
 2040        made by such duly authorized trustee, or (2) made and executed by a  
 2041        duly authorized trustee of the trust, shall be treated as if the transfer  
 2042        was made by the trust.

2043        (c) Any instrument whose grantor, grantee, releasor, releasee,  
 2044        assignor, assignee, transferor or transferee is a trust shall be indexed by  
 2045        the town clerk in the name of the trust identified in such instrument  
 2046        and also in the name or names of all trustees identified in such  
 2047        instrument.

2048        (d) With respect to any instrument that has been recorded in the  
 2049        land records and whose grantor, releasor, assignor or transferor is a  
 2050        trust, it shall be presumed, in the absence of evidence in the land  
 2051        records indicating otherwise, that the (1) person who executed such  
 2052        instrument on the trust's behalf was duly authorized to so act, and (2)  
 2053        trust on whose behalf such person acted contained a provision  
 2054        conferring upon the trustee or trustees, the power to convey an interest  
 2055        in real property.

2056        Sec. 51. Sections 46b-147a, 54-225 and 54-233 of the general statutes  
 2057        are repealed. (*Effective October 1, 2017*)

2058        Sec. 52. Section 51-349 of the general statutes is repealed. (*Effective*  
 2059        *from passage*)

|   |                        |                    |
|---|------------------------|--------------------|
| This act shall take effect as follows and shall amend the following sections: |                        |                    |
| Section 1   | <i>October 1, 2017</i> | 46b-16a(a) and (b) |
| Sec. 2  | <i>October 1, 2017</i> | 46b-124            |
| Sec. 3  | <i>October 1, 2017</i> | New section        |
| Sec. 4  | <i>October 1, 2017</i> | 46b-133e(b)        |
| Sec. 5  | <i>from passage</i>    | 46b-231(f)(1)      |
| Sec. 6  | <i>October 1, 2017</i> | 47a-70(a)          |
| Sec. 7  | <i>from passage</i>    | 51-181(a)          |

|         |                        |             |
|---------|------------------------|-------------|
| Sec. 8  | <i>from passage</i>    | 51-196(e)   |
| Sec. 9  | <i>October 1, 2017</i> | 51-215      |
| Sec. 10 | <i>October 1, 2017</i> | 51-217(a)   |
| Sec. 11 | <i>October 1, 2017</i> | 51-345      |
| Sec. 12 | <i>from passage</i>    | 51-346(a)   |
| Sec. 13 | <i>from passage</i>    | 51-347(a)   |
| Sec. 14 | <i>from passage</i>    | 51-27c      |
| Sec. 15 | <i>from passage</i>    | 51-348      |
| Sec. 16 | <i>from passage</i>    | New section |
| Sec. 17 | <i>October 1, 2017</i> | 52-259(a)   |
| Sec. 18 | <i>October 1, 2017</i> | 53a-28a     |
| Sec. 19 | <i>October 1, 2017</i> | 53a-30(a)   |
| Sec. 20 | <i>October 1, 2017</i> | 54-56j(h)   |
| Sec. 21 | <i>October 1, 2017</i> | 54-201      |
| Sec. 22 | <i>October 1, 2017</i> | 54-203      |
| Sec. 23 | <i>October 1, 2017</i> | 54-204      |
| Sec. 24 | <i>October 1, 2017</i> | 54-206      |
| Sec. 25 | <i>October 1, 2017</i> | 54-208      |
| Sec. 26 | <i>October 1, 2017</i> | 54-209      |
| Sec. 27 | <i>October 1, 2017</i> | 54-210      |
| Sec. 28 | <i>October 1, 2017</i> | 54-211      |
| Sec. 29 | <i>October 1, 2017</i> | 54-211a     |
| Sec. 30 | <i>October 1, 2017</i> | 54-212      |
| Sec. 31 | <i>October 1, 2017</i> | 54-213      |
| Sec. 32 | <i>October 1, 2017</i> | 54-215      |
| Sec. 33 | <i>October 1, 2017</i> | 54-216      |
| Sec. 34 | <i>October 1, 2017</i> | 54-217      |
| Sec. 35 | <i>October 1, 2017</i> | 54-220      |
| Sec. 36 | <i>October 1, 2017</i> | 54-230      |
| Sec. 37 | <i>October 1, 2017</i> | 54-230a     |
| Sec. 38 | <i>October 1, 2017</i> | New section |
| Sec. 39 | <i>October 1, 2017</i> | 54-56p(a)   |
| Sec. 40 | <i>October 1, 2017</i> | 53a-46d     |
| Sec. 41 | <i>October 1, 2017</i> | 46b-133g(a) |
| Sec. 42 | <i>October 1, 2017</i> | 19a-112f(b) |
| Sec. 43 | <i>October 1, 2017</i> | 54-202(a)   |
| Sec. 44 | <i>October 1, 2017</i> | 54-205      |
| Sec. 45 | <i>October 1, 2017</i> | 54-207a     |
| Sec. 46 | <i>January 1, 2018</i> | New section |
| Sec. 47 | <i>January 1, 2018</i> | 42a-9-518   |

|         |                        |                  |
|---------|------------------------|------------------|
| Sec. 48 | <i>January 1, 2018</i> | New section      |
| Sec. 49 | <i>January 1, 2018</i> | 52-259(a)        |
| Sec. 50 | <i>October 1, 2017</i> | 47-36bb          |
| Sec. 51 | <i>October 1, 2017</i> | Repealer section |
| Sec. 52 | <i>from passage</i>    | Repealer section |

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

### **OFA Fiscal Note**

#### **State Impact:**

| <b>Agency Affected</b>                        | <b>Fund-Effect</b>          | <b>FY 18 \$</b> | <b>FY 19 \$</b> |
|---|-----------------------------|-----------------|-----------------|
| Judicial Dept.                                | CICF - Potential Cost       | See Below       | See Below       |
| Correction, Dept.; Judicial Dept. (Probation) | GF - Potential Cost         | See Below       | See Below       |
| Resources of the General Fund                 | GF - Potential Revenue Gain | See Below       | See Below       |

Note: CICF=Criminal Injuries Compensation Fund; GF=General Fund

#### **Municipal Impact:** None

#### **Explanation**

The bill makes various changes to criminal justice statutes. The sections that result in a fiscal impact are noted below.

Sections 21-38 and 40 result in a potential cost to the Criminal Injuries Compensation Fund by making more victims eligible for compensation by expanding injuries, crimes, and situations which a victim may qualify for compensation. Currently, the Fund awards approximately \$2.8 million annually for victim compensation. The Criminal Injuries Compensation Fund receives revenue from various court fees and defendant fines and provides compensation to victims for medical and mental health care.

The bill increases the maximum compensation that the Judicial Department Office of Victim Services may award for certain victims from \$15,000 to \$20,000. To the extent that victims are currently reaching the maximum award amount, and now would receive an additional \$5,000, the amendment results in a potential annual cost of

between \$25,000 to \$50,000. This estimate assumes that between five to ten victims are currently receiving the maximum award.

Sections 46-49 create a felony of filing a false record. To the extent that offenders are prosecuted for new offenses, potential costs for incarceration or probation supervision in the community or judicial revenue would result. On average, it costs the state \$7,260 (including benefits) to supervise an inmate in the community as opposed to \$61,320 (including benefits) to incarcerate an offender.

House "A" adds the provision that allows an additional \$5,000 of compensation to certain victims and results in a potential cost of up to \$25,000-\$50,000 annually.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future.

---

**OLR Bill Analysis****sHB 7198 (as amended by House "A")\******AN ACT CONCERNING COURT OPERATIONS, VICTIM SERVICES  
AND FRAUDULENT FILINGS.*****SUMMARY**

This bill makes unrelated changes to various laws, including those about court operations, victim services, fraudulent filings, and transfer of property held in trust.

For court operations, the bill primarily establishes the appropriate venue for certain housing matters.

Among other changes the bill makes to victim services, it:

1. expands the powers and duties of the Office of Victim Services (OVS);
2. creates a new process for victims seeking enforcement of financial restitution orders;
3. makes more victims eligible for victim compensation from OVS by expanding injuries, crimes, and situations under which a victim may qualify for compensation;
4. allows up to an additional \$5,000 above the maximum \$15,000 personal injury award for certain child-victims; and
5. allows OVS to waive consideration of available health insurance when determining victim compensation and requires health care providers to suspend debt collection from victims in certain circumstances.

The bill (1) makes it a crime, punishable as a class D felony, to file a false record on a municipal land record or under the Uniform Commercial Code and (2) gives victims a cause of action to petition the court to have such a record invalidated.

The bill also makes changes to various unrelated statutes. It (1) expands the availability of civil protection orders to certain stalking victims, (2) expands victims' access to juvenile records, (3) excuses individuals who have served as federal jurors during the last three preceding jury years from serving as state jurors; and (4) establishes the validity of conveyance of interest in real property by, or to, trusts and trustees.

It also makes minor, technical, and conforming changes, including removing certain obsolete or redundant requirements.

\*House Amendment "A" (1) makes technical and clarifying changes to the underlying bill's provisions on the appropriate court venue for certain housing matters; (2) specifically allows up to an additional \$5,000 in crime victim compensation for certain child-victims; (3) delays, by three months, the effective date of the underlying bill's fraudulent reporting provisions; and (4) adds provisions on the validity of conveyance of interest in real property by, or to, trusts and trustees.

EFFECTIVE DATE: October 1, 2017, except (1) January 1, 2018 for the fraudulent reporting provisions and (2) upon passage for the provisions on (a) family support magistrates, (b) the Willimantic courthouse, (c) housing matters moving to judicial district courts, and (d) the Reporter of Judicial Decisions publication of sentence review decisions.

## **§ 1 — CIVIL PROTECTION ORDERS**

By law, victims of sexual abuse, sexual assault, or stalking are eligible for civil protection orders if they are not eligible for civil restraining orders (see BACKGROUND).

The bill makes two changes related to civil protection orders. It (1) creates a specific definition of “stalking” for the purpose of civil protection orders that expands their availability to additional stalking victims and (2) allows applicants to request that their location be kept confidential.

### ***Stalking Definition***

Under the bill, stalking victims are eligible for civil protection orders if they reasonably fear for their safety because another person who is not a family or household member (1) wilfully harasses, follows, lies in wait for, surveils, monitors, or sends unwanted gifts or messages to such individual directly, indirectly, or through a third person, by any method, device, or other means and (2) does so more than once in a threatening, predatory, or disturbing manner. To be eligible for a civil protection order under current law, a stalking victim must be a victim of 1<sup>st</sup>, 2<sup>nd</sup>, or 3<sup>rd</sup> degree stalking as defined in the penal code (see BACKGROUND).

### ***Confidential Applicant Location Information***

By law, a civil protection order applicant must submit an affidavit stating, under oath, the specific facts of the case. The bill allows the applicant to ask the court to keep his or her location information confidential after attesting that its disclosure would jeopardize the health, safety, or liberty of the applicant or his or her children.

The bill requires the chief court administrator to prescribe the form the applicant must use to make such a request.

### **§§ 2 & 3 – VICTIM ACCESS TO JUVENILE RECORDS**

The bill expands victim access to juvenile records in delinquency matters. It (1) gives victims the right to access specified information without a court order, (2) creates a process by which a party may object to the release of such information, and (3) specifies other information that the court may release and factors it must consider before doing so.



Under the bill, a "victim" is (1) a person who is the victim of a delinquent act; (2) his or her legal representative; (3) a parent or guardian, if the person is a minor; or (4) a victim advocate.

### ***Victim's Right to Access Records***

Under current law, a victim of a child's delinquent act may request access to the child's related juvenile records, and such records must be available to the same extent that a criminal defendant's records are available to a crime victim.

Under the bill, whether a matter is judicial or nonjudicial, a victim of a child's delinquent act must have access to the following without the need for a court order:

1. the name and address of the child and the child's parents or guardian;
2. any charges pending against the child at the time that the victim requests information related to the delinquent act;
3. information pertaining to the disposition of the matter that relates to the delinquent act; and
4. any court order pertaining to the victim, including any "no contact" order between the child and the victim.

The bill allows the victim to use this information in a subsequent civil action for damages related to the child's delinquent act. However, as under existing law, the victim must not further disclose this information unless authorized by the court.

### ***Objection to Disclosure without a Court Order***

The bill allows a prosecutorial official or an attorney representing the child, including a public defender, to file an objection with the court requesting that the above information not be disclosed. They may do so if the release of information may jeopardize (1) the safety of the child, a witness, or another person or (2) an ongoing criminal

investigation.

The bill requires the court to state on the record the specific reason for sustaining any objection to the disclosure.

***Records the Court May Disclose and Factors It Must Consider***

**Records.** The bill allows the court, for good cause shown, to give victims access to other juvenile records, such as police reports, arrest warrants, search warrants, and related affidavits associated with the warrants that involve the victim. It prohibits the victim from further disclosing this information without a court order.

**Factors.** The bill requires the court, in determining whether good cause exists, to consider:

1. the child's age,
2. the degree of victim injury or property damage caused by the child's delinquent act,
3. whether a compelling reason exists for disclosure or nondisclosure of the information in the records, and
4. whether the release of the information would jeopardize an ongoing criminal investigation.

When making a good cause determination, the court may not consider whether the victim has an alternate means of ascertaining the information.

**§§ 4 & 20 — SCHOOL VIOLENCE PREVENTION PROGRAM**

By law, the school violence prevention program is a pretrial diversionary program for students charged with an offense involving the use or threatened use of physical violence in or on school property or at a school-sponsored activity.

Under current law, the program consists of at least eight group counseling sessions in anger management and nonviolent conflict

resolution. The bill eliminates the eight-session minimum and makes a conforming change.

## **§ 5 — FAMILY SUPPORT MAGISTRATES**

By law, starting January 1, 2017, the governor nominates and the legislature appoints nine family support magistrates to serve five-year terms. Prior to January 1, 2017, the governor appointed the nine magistrates to serve three-year terms without legislative approval.

The law requires family support magistrates serving on December 31, 2016 to continue to serve until their three-year terms expire unless they are removed from office. They must continue to serve after their terms expire until (1) a successor is appointed or (2) the legislature disapproves their reappointment. (The law allows the governor to nominate family support magistrates for reappointment.)

Under the bill, if a family support magistrate continues to serve after the expiration of the three-year term and is nominated by the Governor for reappointment, the magistrate's five-year term must begin on the date that the legislature approves the nomination for reappointment. Current law does not specify when a subsequent term commences.

## **COURT OPERATIONS**

### ***Venue for Housing Matters (§§ 6, 11-16 & 51)***

The bill makes various changes in housing matter court venue and makes conforming changes in related laws.

***Transfer of Housing Cases (§6).*** Under the bill, a judge presiding over a housing case who determines that the case is not a housing matter may transfer the case only to the regular docket in a judicial district court. Under current law, the judge may transfer such a case to either the geographic area court or the judicial district court.

***Civil Actions for Windham and Ashford Residents (§ 11).*** The bill allows a plaintiff to file civil actions in either the Windham or Tolland judicial district court if the plaintiff or defendant is from either

town. Currently such residents must file their civil actions in the Windham judicial district court.

***Housing Matters in Judicial District Courts (§ 11).*** By law, with some exceptions, all civil process must be returned to specific judicial district courts. The bill generally requires civil process for actions involving housing matters, except for those described below, to be returned to the judicial district where the property is located, except it must be returned to:

1. either the judicial district of Hartford or New Britain, at the plaintiff's option, if the premises are located in Avon, Canton, Farmington, Newington, Rocky Hill, Simsbury, or Wethersfield;
2. the judicial district of Ansonia-Milford, if the premises are located in Ansonia, Beacon Falls, Derby, Oxford, Seymour, or Shelton (after filing the action, the plaintiff or defendant may request a change in venue to the New Haven or Waterbury judicial districts); and
3. the judicial district of New Haven, if the premises are located in Milford, Orange, or West Haven.

***Housing Matters in Geographic Area Courts (§§ 15 & 51).*** Under the bill, in any judicial district in which housing matters are heard on a separate docket (as described below) the venue generally must be in the housing session for the judicial district for an action pertaining to one or more violations of (1) any state or municipal health, housing, building, electrical, plumbing, fire or sanitation code, including in commercial properties, or (2) any other statute, ordinance or regulation regarding the health, safety, or welfare of any occupant of any housing. However, the New Haven judicial district court is the venue for any such action for premises located in Milford, Orange, or West Haven.

In all other judicial districts, venue for such actions, if placed on the criminal docket, must be the geographic area where the premises are

located.

The bill also repeals a law that establishes the geographic area courts where actions pertaining to landlord-tenant, summary process, and local health and building code violations are returnable.

***Housing Matters on a Separate Docket in Judicial District Courts (§ 16).*** Under existing law, unchanged by the bill, housing matters must be heard on a separate docket in the Hartford, New Britain, New Haven, Fairfield, Waterbury, and Stamford-Norwalk judicial districts. The judge assigned to hear housing matters in:

1. Hartford judicial district must hear such matters in New Britain,
2. New Haven judicial district must hear such matters in Waterbury, and
3. Fairfield judicial district must hear such matters in Stamford-Norwalk.

By law, the records, files, and other documents pertaining to housing matters must be maintained separately from other court records. Housing matters do not have to be heard in the court house to which the process is returned and where the pleadings are filed.

***The Willimantic Courthouse (§§ 7 & 12-14)***

The bill removes statutory references to the Willimantic courthouse, which closed on October 31, 2016.

***Jury Duty (§ 10)***

The bill expands the reasons for which a Connecticut resident may be excused from jury duty by disqualifying, for the jury year starting September 1, 2017, and each jury year after that, someone who has served in federal court in Connecticut during the last three preceding jury years as a (1) federal juror on a matter that has been tried to a jury or (2) federal grand juror.

Anyone claiming this disqualification must provide proof of federal

jury service to the jury administrator.

***Alternative Program for Certain Motor Vehicle Offenders (§ 39)***

By law, the court may, at its discretion, refer offenders charged with certain motor vehicle violations or certain alcohol-related offenses to an alternative to incarceration program that provides defendants with a forum to hear from victims of underage drinking, drunk driving, distracted driving, or other motor vehicle violations.

Under existing law, the court may do so on the motion of the defendant, state's attorney, or prosecuting attorney, if the defendant is under age 21 and has not used the program before. The bill specifies that to be eligible for the program, the defendant must have been under age 21 at the time the offense was committed.

By law, this program is not available to defendants charged with (1) driving under the influence of alcohol or drugs (2) a motor vehicle violation that caused serious injury or death, or (3) unless good cause is shown, a motor vehicle violation classified as a felony.

***Obsolete Language, Functions, and Reports (§§ 8-9 & 50)***

The bill eliminates various obsolete or redundant requirements, replacing them in some cases with modernized or electronic alternatives.

***Sentence Review Decisions.*** The bill no longer requires the Reporter of Judicial Decisions to select sentence review decisions for publication in the Connecticut Law Journal or Connecticut Supplement. In practice, these sentence review decisions are available to the public as Superior Court decisions are.

***Supreme Court Records and Briefs.*** The bill no longer requires the Reporter of Judicial Decisions to get a sufficient number of Supreme Court records and briefs, bind them, and send a copy to the State Library and each law library. The bill instead requires the chief clerk of the Supreme Court to electronically provide the State Library publicly available briefs of all Supreme and Appellate Court cases, in a

format and on a schedule mutually agreed to by the chief clerk of the Supreme Court and the state librarian.

**Serious Juvenile Offender Report.** The bill eliminates the requirement that the judicial branch report quarterly to the legislature on serious juvenile offenders. The Juvenile Justice Policy Oversight Committee now collects this data.

**Volunteer Lawyer Program.** The bill eliminates this program, which was established to protect persons injured by a civil wrong. The Office of Victim Services now serves in this role.

**Tort Victims Prior to July 1, 1993.** The bill eliminates language specifying that such victims are not precluded from seeking victim compensation.

#### **§§ 17-19 — VICTIM FINANCIAL RESTITUTION**

The law allows a court, when imposing a sentence of probation or conditional release, to order an offender to make financial restitution to a victim. The bill creates a process for victims to seek enforcement of such an order that is similar to the process for seeking enforcement of a judgment in a civil action.

The bill's process requires the party seeking enforcement to file a copy of the order and an affidavit, on a form prescribed by the chief court administrator, with the Superior Court. It also lays out other filing, service of process, and disbursement requirements.

The bill also allows the Judicial Branch's Court Support Services Division (CSSD), if authorized by a judge, to set the restitution amount and specify the manner of payment and notify the victim that the restitution order may be enforced in the same manner as a judgment in a civil action.

**Statute of Limitations.** Under current law, a person may enforce a financial obligation order within 10 years after the (1) offender's release from confinement or (2) entry of the order and sentence,

whichever is longer. Under the bill, the enforcement period is within 10 years after the (1) offender's release from confinement or termination of probation or (2) entry of the order and sentence, whichever is longer.

**Filing of Order and Affidavit.** The bill requires the party seeking enforcement of the financial obligation order to file a copy of the order of restitution and an affidavit with the Superior Court.

The agency or entity monitoring payment of the obligations must prepare the affidavit on a form prescribed by the chief court administrator that: (1) attests to the terms of restitution and manner of performance fixed by the court or the Judicial Branch's Court Support Services Division and (2) identifies the amount of the obligation that has been paid and the amount that is owed.

**Notice.** Within 30 days after filing the judgment and the affidavit with the court, the bill requires the party seeking enforcement of the order to notify the offender at his or her last known address by registered or certified mail, return receipt requested.

**Proceeds Distribution.** The bill prohibits the court from distributing the proceeds of an execution earlier than 30 days after proof of service has been filed. Under the bill, the court may not collect a fee for the filing of an execution, and a marshal's fees for service of an execution must be the same as those in other civil actions.

## **§§ 21-38 & 40 — OVS COMPENSATION**

### ***Compensation Time Frames (§ 28)***

The bill increases, from 72 hours to 120 hours, the time within which a sexual assault victim who fails to report the alleged crime must go to a health care facility to be examined and to have evidence of the sexual assault collected, for the victim to be eligible for compensation.

Under existing law, a victim must report the crime to the police within five days of the incident or within five days of when a report could reasonably be made. But if the person is a sexual assault victim,



he or she may still report the crime outside of that time frame if he or she (1) told a medical or mental health provider or an advocate about the sexual assault or (2) went to a health care facility to have a sexual assault forensic exam done. Under the bill, a victim of sexual assault, prostitution, or trafficking may also be eligible for compensation if he or she fails to report the crime but disclosed the injury to one of the professionals specified in existing law and the bill, such as a doctor, nurse, or domestic violence or sexual assault counselor.

By law, a victim generally must apply to OVS for compensation within two years of the date of the incident.

***Qualifying Injuries, Crime Locations, and Situations (§§ 21 & 25-28)***

The bill expands the types of injuries, crimes, and situations that make a victim eligible for victim compensation from OVS.

***Injuries.*** By law, a victim who suffers personal injury or death by homicide is generally eligible for compensation.

Under current law, “personal injury” includes (1) actual bodily harm and mental anguish that is a direct result of bodily injury or (2) injury to a disabled person’s service animal.

The bill broadens the compensation eligibility criteria by expanding the definition of personal injury and including as eligible victims those who:

1. suffered actual bodily harm;
2. experienced mental or emotional impairment that requires treatment through services and is directly attributable to a threat of physical injury or the direct victim's death (i.e., “emotional harm”); or
3. have a disability and whose service animal was injured or died.

By law, a deceased victim’s dependents are considered “victims” for

the purpose of the claim. The bill further expands the group of individuals who are eligible for victim compensation by classifying aunts, uncles, nieces, and nephews as relatives who may be considered the deceased victim's dependents. Under existing law, "relatives" includes spouses, parents, grandparents, stepparents, and children. To be considered a "dependent," the relative must have been at least partially dependent on the person's income.

**Compensation Limits.** Current law generally limits crime victim compensation to a maximum of \$15,000 for personal injury and \$25,000 for death. The bill allows victims who sustain only emotional harm a maximum of \$5,000 in compensation for medical and mental health care.

This bill allows OVS or a victim compensation commissioner, under certain circumstances, to award up to an additional \$5,000 above the \$15,000 maximum award allowed under current law for victims who sustain personal injury. Under the bill, the additional amount is allowed if, at the time the application for compensation or financial restitution is filed, the victim is a minor who has additional medical or mental health counselling needs (see BACKGROUND).

Under existing law, unchanged by the bill, OVS or a victim compensation commissioner may award amounts above the statutory maximum for good cause shown and upon a finding of compelling equitable circumstances.

**Circumstances and Location of Crime.** By law, a victim may be eligible for crime victim compensation if he or she sustained personal injury or died as a result of (1) a crime as defined under Connecticut law or (2) a crime involving international terrorism as defined by federal law.

The bill expands this to include any crime that occurred outside the territorial boundaries of the United States, if it would be considered a crime in Connecticut and the victim is a Connecticut resident.

**Other Permissible Compensation Situations.** The bill allows OVS or, on review, a victim compensation commissioner, to order compensation:

1. for a personal injury or death that resulted from a water vessel, snow mobile, or all-terrain vehicle operated by someone under the influence of alcohol or drugs (instead of just a motor vehicle as under current law);
2. when a victim discloses a personal injury from alleged violations of prostitution or trafficking in persons laws to a doctor; nurse; psychologist; police officer; mental health professional; emergency medical service provider; marriage or family therapist; domestic violence, sexual assault, alcohol and drugs, or professional counselor; clinical social worker; DCF employee; or school principal, teacher, or guidance counselor;
3. when a victim discloses a personal injury from alleged violations of sexual assault crimes to a school principal, teacher, or guidance counselor;
4. for a personal injury suffered by a domestic violence, sexual abuse, sexual assault, or stalking victim (a) as reported in the application for a restraining order or civil protection order granted after a hearing, the supporting affidavit, or in the court record or (b) as disclosed to a domestic violence or sexual assault counselor;
5. for pecuniary loss due to attending criminal court proceedings to an injured victim or relatives or dependents of an injured victim, not only those of a deceased victim as under current law;
6. for pecuniary loss due to a crime scene cleanup; and
7. for loss of wages by a deceased victim's parent or guardian, up to one week's wages.

**Insurance as a Collateral Source (§ 25)**

Under current law, OVS, in determining victim compensation, must consider the amount a victim receives from other sources, including health insurance. The bill expands this by allowing OVS to consider all types of insurance.

And it simultaneously allows OVS to waive the consideration of health insurance as a collateral source in a domestic violence, sexual assault, or child abuse case in which the victim or the claimant believes that the dissemination of treatment information associated with a health insurance claim would cause undue harm. But existing law, unchanged by the bill, prohibits OVS from considering life insurance benefits.

### ***Collection of Health Care Provider's Debt (§ 38)***

***Debt Collection Suspension.*** The bill requires a health care provider; its attorney, employees, or agent; and any collection agency acting on the provider's behalf to promptly stop efforts to collect any debt that resulted from treatment of injuries associated with a pending victim compensation claim. They must do so as soon as they become aware and receive notice from OVS that a debtor from whom payment is sought has a pending claim.

***Health Care Provider.*** Under the bill, a "health care provider" is any person or organization licensed or certified to provide health care services, including (1) institutions such as hospitals, hospice facilities, residential care homes, nursing homes, home health care agencies, and assisted living agencies and (2) state-run health care institutions or facilities.

***Length of Collection Suspension.*** The collection efforts must be discontinued until (1) a compensation award is made, (2) the claim is approved without payment, or (3) the claim is determined to be noncompensable.

***Statute of Limitations.*** Under the bill, any applicable statute of limitations for the collection of the debt must be tolled during the

collection suspension period.

***Attorneys' and Other Providers' Compensation (§ 24)***

By law, OVS or, on review, a victim compensation commissioner, may determine and allow reasonable attorney's fees not to exceed 15% of the compensation award.

The bill requires the victim's attorney to (1) pay providers as documented by OVS, (2) communicate with them regarding outstanding balances after attorney's fees are deducted, and (3) ensure payment to such providers. (Presumably, payment is from the award balance.)

***Office of Victim Services (§§ 22, 29, 34, 36 & 37)***

***Powers and Duties.*** The bill makes the following changes to OVS's powers and duties:

1. authorizes OVS to direct each university or college health services center and each community health center to prominently display posters in a conspicuous location giving notice of the availability of victim compensation and assistance;
2. requires OVS to develop a request form to obtain the data existing law requires the office to obtain from the state's attorney and police to review a compensation application;
3. eliminates the requirement that OVS directs medical examination of victims;
4. removes the requirement that OVS consult with the Criminal Justice Division in assigning victim advocates;
5. requires OVS to (a) inform victims of their rights and available services and (b) maintain a victim notification system and a toll-free number for victims to access the information, replacing current law's requirement that OVS provide victims with a notification clearinghouse;

6. allows OVS to email its decision to the applicant and deems the delivery complete upon sending the email, unless OVS or a compensation commissioner learns that the email was not delivered;
7. reduces, from six to four, the number of times per year that the state advisory council must meet to recommend legislation to improve OVS's program;
8. requires OVS to (a) maintain, within available appropriations, the existing sexual assault forensic examiners program to train examiners of sexual assault victims who are patients at participating health care facilities, rather than at acute care facilities as under current law or (b) establish, within available appropriations, a training program for health care professionals in nonparticipating health care facilities on the care and collection of evidence from adolescent and adult sexual assault victims;
9. eliminates the requirement that OVS and the Department of Correction's Victim Services Unit use certified mail rather than regular mail to notify people who asked to be notified when an inmate applies for release or sentence reduction or review; and
10. allows OVS to expedite the processing of a claim if it determines that the claimant would otherwise experience undue hardship, replacing current law's "emergency award" process.

***Victim Impact Statements and Advocates (§§ 35 & 40)***

The bill no longer requires that a victim impact statement prepared with a victim advocate's assistance be placed in the court file.

Under the bill, a victim advocate must receive, upon request, a copy of any police report that the Office of the Chief State's Attorney, DESPP, municipal police departments, or any other law enforcement agency has that the victim advocate needs to perform his or her responsibilities and duties.

**Prosecuting Authority (§§ 22 & 25)**

**Victim Statement.** By law, a victim has the right to submit to the prosecutor a statement about the victim's injuries, financial losses, and loss of earnings directly resulting from the crime. The bill requires the prosecutor to file the statement with the sentencing court, and such statement must be made a part of the record the court considers at sentencing.

**Request to Suspend Claim Determination.** The bill eliminates a provision under current law that allows a prosecutor to ask OVS to suspend acting on a claim on the grounds that a prosecution for an offense arising out of the claim has started or is imminent.

**§§ 46-49 — FRAUDULENT FILING****Filing a False Record (§ 46)**

The bill creates a new class D felony, filing a false record. A person commits the crime by filing a false record against real or personal property. Specifically, to be guilty, a person must, with intent to defraud, deceive, injure, or harass another person, file, or cause to be filed with a municipality, a record he or she knows, or reasonably should know, is false.

Under the bill, a person is guilty of filing a false record under the Uniform Commercial Code when, with intent to defraud, deceive, injure, or harass another, he or she files, or causes to be filed with the Secretary of the State or a municipality, a record he or she knows, or reasonably should know, is false.

**Record Defined.** Under the bill, a "record" is information that is inscribed on a tangible medium or is stored in an electronic or other medium and is retrievable in perceivable form, including any record that is recorded in a town clerk's office.

**Penalty.** Filing of a false record is a class D felony, punishable by up to five years in prison, a fine of up to \$5,000, or both.

**Court Process for Victim of a Fraudulent Filing (§§ 47 - 49)**

The bill establishes identical procedures for victims of a fraudulent Uniform Commercial Code or municipal land record filing.

**Petition.** A victim of fraudulent filing may petition the Tax and Administrative Appeals Session of the Superior Court to invalidate a false filing or related amendment. Petitioners must (1) include as part of the petition a certified copy of the filing and any amendment that they seek to invalidate and (2) send a copy of such petition to all parties named in such filing. There are no court fees to petition for a hearing.

**Court Review and Hearing.** The court must review the petition and determine whether cause exists to doubt the validity of the filing or amendment. Upon a determination that such cause exists, the court must, within 60 days after the date of such determination, hold a hearing to determine whether to invalidate the filing or amendment or grant other appropriate relief.

**Good Cause Factors.** In determining whether cause exists to doubt the validity of a filing or amendment, the court may consider factors that include whether:

1. the filing or amendment is related to either a valid existing or potential commercial, financial, or real estate transaction or judgment of a court of competent jurisdiction;
2. the same individual is named as both debtor and creditor;
3. an individual is named as a transmitting utility (i.e., services); and
4. the filing or amendment has been filed with the intent to defraud, deceive, injure, or harass a person, business, or government entity.

**Judgment.** If the court determines after a hearing that the filing identified in the petition is not valid, it must (1) render a judgment that the filing is void in its entirety and (2) direct the custodian of the filing,



when feasible, to note that such filing is not valid. The court may grant any other relief it deems appropriate. The petitioner must provide a copy of the petition and the judgment to the custodian of the filing adjudged invalid by the court.

## **§ 52 — TRUST PROPERTY**

### ***Conveyance By a Trust or Trustee***

By law, when executed by a duly authorized trustee, any conveyance of real property made by a trust must be treated as if it were made by the trustee. The bill specifies that the reverse is also true (i.e., any conveyance made and executed by a properly authorized trustee must be treated as if the transfer was made by the trust).

### ***Recording of Trust Instruments***

***Indexing.*** The bill requires the town clerk to index an instrument by the name of the trust and trustee identified in the instrument if the grantor, grantee, releasor, releasee, assignor, assignee, transferor, or transferee is a trust.

***Presumption of Valid Execution.*** Under the bill, in the absence of evidence in the land records indicating otherwise, it must be presumed that the:

1. person who executed the instrument on the trust's behalf was properly authorized to do so and
2. trust on whose behalf the person acted contained a provision giving the trustee or trustees the power to convey an interest in real property.

## **BACKGROUND**

### ***Civil Restraining Order***

An individual may apply for a civil restraining order for relief from a family or household member's physical abuse, stalking, or pattern of threatening (CGS § 46b-15).

### ***Civil Protection Order***

A victim of sexual abuse, sexual assault, or stalking may apply for a civil protection order if he or she is ineligible for the restraining order described above (CGS § 46b-16a).

### ***Stalking Crimes***

By law, a person commits:

1. 3<sup>rd</sup> degree stalking, a class B misdemeanor, when he or she recklessly causes another person to reasonably fear for his or her physical safety by wilfully and repeatedly following or lying in wait for the other person;
2. 2<sup>nd</sup> degree stalking, a class A misdemeanor, by (a) knowingly engaging in certain conduct directed at a specific person that would cause a reasonable person to fear for his, her, or a third person's physical safety or (b) intentionally, and for no legitimate purpose, engaging in certain conduct directed at a specific person that would cause a reasonable person to fear that his or her employment, business, or career is threatened; and
3. 1<sup>st</sup> degree stalking, a class D felony, when he or she commits 2<sup>nd</sup> degree stalking after and (a) was previously convicted of 2<sup>nd</sup> degree stalking, (b) violates a court order in effect at the time of the offense, or (c) the victim is under age 16.

### ***Crime Victim Compensation***

By law, a victim may be eligible for crime victim compensation if he or she sustained personal injury or died as a result of (1) a crime as defined under Connecticut law or (2) a crime involving international terrorism as defined by federal law.

Generally, the victim must (1) report the crime to the police within five days of the incident or when a report could reasonably have been made and (2) apply to OVS for compensation within two years of the date of the incident (CGS § 54-201, et seq.).

### ***Financial Restitution***

The law allows a court, when imposing a sentence of incarceration, probation, or conditional release, to order an offender to make financial restitution to a victim.

### ***Related Bills***

sHB 7299, as amended by House “A,” (1) expands the conduct that constitutes 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> degree stalking by including conduct that causes “emotional distress” and (2) specifies that electronic or social media are among the methods, devices, or means by which conduct that constitutes stalking may occur.

sSB 726 (File 670) as amended by Senate “A,” has a similar provision that allows OVS to award up to an additional \$5,000 above the maximum \$15,000 personal injury award for certain child-victims.

sSB 993, reported favorably by the Judiciary Committee, has similar provisions that modify the laws regarding the validity of conveyance of interest in real property by, or to, trusts and trustees.

sSB 1003, reported favorably by the Judiciary Committee, extends by 10 years the period in which a victim can enforce and collect financial restitution.

### **COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 36      Nay 4      (04/03/2017)